JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

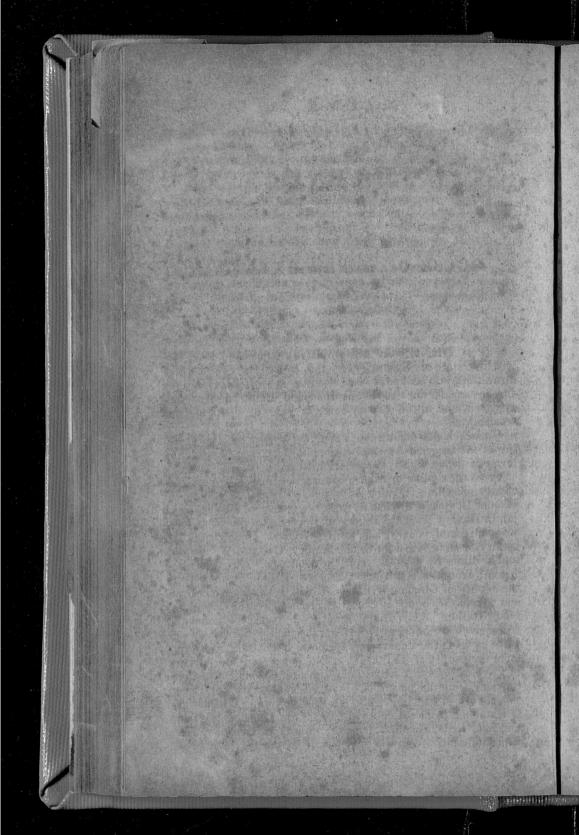
COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE TOWN OF FRANKFORT, ON MON-DAY THE SEVENTH DAY OF DECEMBER 1818, AND OF THE COMMONWEALTH THE TWENTY-SEVENTH.

FRANKFORT:

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1318.



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A T A GENERAL ASSEMBLY, begun and held for the state of Kentucky, at the capitol in the town of Frankfort, on Monday the seventh day of December, in the year of our Lord one thousand eight hundred and eighteen, and in the twenty-seventh year of the commonwealth.

On which day (being that appointed by law for the meeting of the General Assembly) the following members of the

house of representatives appeared, to wit:

From the county of Adair, Zachariah Taylor; from the county of Allen, Daniel M. Jones; from the county of Boone, Benjamin Johnson; from the county of Butler, Benjamin Davis; from the county of Barren, Joseph R. Underwood; from the county of Bullitt, Welford Lee; from the county of Bourbon, John L. Hickman, George W. Baylor and William B. Chinn; from the county of Casey, James Allen; from the county of Campbell, Elijah Grant; from the county of Clarke, William M'Millan and Samuel Hanson; from the county of Christian, James Breathitt, Nathaniel S. Dallam and William Jennings; from the county of Cumberland, Samuel Scott; from the county of Clay, James Love ; from the county of Daviess, Benjamin Duncan ; from the county of Estill, Jesse Noland; from the county of Fayette, Joseph C. Breckenridge and Thomas T. Crittenden; from the county of Floyd, Alexander Lackey; from the county of Fleming, John D. Stockton and William B. O'Bannon; from the county of Franklin, Charles S. Todd and Martin D. Hardin; from the county of Grayson, John Cunningham; from the county of Greenup, Thompson

Ward; from the county of Garrard Samuel M'Kee and Thomas Kennedy; from the county of Green, Liberty Green and Robert Barrett; from the county of Hardin, Christopher Miller; from the county of Harrison, William K. Wall and Joseph Taylor; from the county of Henry, Edward George and Joseph Thomas; from the counties of Henderson and Union, Francis Lockett; from the county of Hopkins, Eleazer Givens; from the county of Jefferson. Richard Barbour and Alexander Pope; from the county of Jessamine, William Caldwell; from the counties of Knox and Whitley, Joseph Parsons; from the county of Lincoln, Benjamin Duncan and John Green ; from the county of Logan, William J. Morton and Anthony Butler; from the county of Livingston, Christopher Haynes; from the county of Lewis, Aaron Stratton; from the county of Mercer, Edward Worthington and James Ray; from the county of Madison, Thomas C. Howard, Joseph Barnett and Josiah Phelps ; from the county of Mason, James W. Coburn and James Ward; from the county of Muhlenberg, Moses Wickliffe; from the county of Montgomery, James S. Megowan and Samuel L. Williams; from the county of Nelson, Samuel T. Beall, Joseph M'Closky and Burr Harrison; from the county of Nicholas, John C. Baker; from the county of Ohio, James Johnston; from the county of Pulaski, Thomas Dollerhide and Gideon Prather ; from the county of Pendleton, Stephen Mullens; from the county of Rockcastle, William Smith; from the county of Scott, John T. Johnson and Garrett Wall; from the county of Shelby, John Logan, George B. Knight and Benjamin Logan; from the county of Woodford, Willis Field and William S. Hunter; from the county of Warren, Solomon P. Sharp and Cornelius Turner; from the county of Wayne, George Berry; and from the county of Washington, Fleming Robinson, William B. Booker and Richard Forrest.

Who constituting a quorum, and having taken the several oaths required by the constitution of the United States, and those required by the constitution and laws of this state, re-

paired to their seats.

Mr. Thomas T. Barr, a member returned to serve in this house from the county of Fayette; and Mr. Edward R. Chew, a member returned to serve from the county of Breckenridge, severally appeared and produced certificates of their election, and took the oaths prescribed by the constitution of the United States and of this state, but the oath prescribed by an act of the general assembly entitled "an act more of-

fectually to suppres the practice of dwelling," and as modified by the several acts amendatory thereof, being tendered to them, they refused to take the same; but claimed their right to a seat without taking said oath.

Whereupon,

Resolved, That they be permitted to exercise the rights and privileges of members of the house of representatives.

until the same shall be duly organized.

Mr. Ray nominated Mr. Joseph C. Breckenridge as a proper person to fill the office of speaker to this house during the present session; and Mr. M'Kee nominated Mr. Solomon P. Sharp; and upon taking the vote between them, they stood thus:

For Mr. J. C. Breckenridge—Messrs. Allen, Baker, Barbour, Barr, Baylor, Beall, Booker, A. Butler, Chew, Chinn, Coburn, Crittenden, Duncan (of Daviess,) Duncan (of Lincoln,) Field, George, Grant, L. Green, J. Green, Hanson, Harrison, Haynes, Hickman, Howard, Hunter, J. Johnston, J. T. Johnson, Knight, Lackey, Lockett, J. Logan, B. Logan, Megowan, M Closky, Morton, Mullens, O'Bannon, Parsons, Pope, Ray, Sharp, Smith, Stockton, Stratton, J. Taylor, Thomas, Todd, G. Wall, W. Wall, Ward, Williams and Worthington—52.

For Mr. Solomon P. Sharp—Messrs. Barnet, Barrett, Berry, Breathitt, Breckenridge, Caldwell, Cunningham, Dallam, Davis, Dollerhide, Forrest, Givens, Hardin, Jennings, B. Johnson, Jones, Kennedy, Lcc. Love, M'Kee, M'Millan, Miller, Noland, Phelps, Prather, Robinson, Scott, Z. Taylor, Turner, Underwood and Wickliffe—31.

A majority appearing in favor of Mr. Joseph C. Breckenridge, he was thereupon declar douly elected, and conducted to the chair, from whence he made acknowledgments for the honor conferred, and recommended the observance and preservation of good order and decorum.

Mr. Robert S. Todd was unanimously elected clerk; Mr. Richard Taylor was unanimously elected sergeant at arms; and Mr. Roger Devine unanimously elected door-keeper.

A message from the senate by Mr. Bledsoe :

Mr. Speaker,

I am instructed to inform this house that the senate having met, formed a quorum, and elected Mr. William B. Blackburn for their speaker, and other officers, is now ready to proceed to legislative business.

And then he withdrew.

Ordered, That a committee of propositions and grievances be appointed, and a committee was appointed, consisting of

Messrs. Sharp, Worthington, Booker, J. Taylor, M'Millan, Kennedy, B. Logan. T. Ward, Stockton, Morton and L. Green; and such other members as may from time to time choose to attend: Who are to meet and adjourn from day to day, and take under consideration all propositions and grievances which may come legally before them; and all such matters as shall from time to time be referred to them; and report their proceedings with their opinion thereupon to the house. And the said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee of privileges and elections be appointed, and a committee was appointed, consisting of Messrs. A. Butler, Coburn, Parsons, Williams, Howard, Knight, Harrison, Barbour, Owings, G. Wall and Hunter; who are to meet and adjourn from day to day, and take under consideration and examine all returns for members to serve in this house during the present session of the general assembly, and all questions concerning privileges and elections, and report their proceedings with their opinions thereupon to the house. And the said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee of claims be appointed, and a committee was appointed, consisting of Messrs. M'Kee, Beall, George, W. O. Butler, Dallam, Megowan, Hickman, Field, Grant, B. Johnson and Gaither; who are to meet and adjourn from day to day, and take "under consideration all public claims, and such other matters as may from time to time be referred to them; and report their proceedings with their opinions thereupon to the house. And the said committee shall have power to send for persons, papers and records

for their information.

Ordered, That a committee for courts of justice be appointed, and a committee was appointed, consisting of Messrs. Hardin, Pepe, J. Green, Hanson, Crittenden, J. Logan, Underwood, W. Wall, Baylor, J. T. Johnson and Breathitt; who are to meet and adjourn from day to day, and take under consideration all matters relating to courts of justice, and such other, as may from time to time be referred to them; and report their proceedings with their opinion thereupon to the house. And the said committee are to inspect the journals of the laie session, and draw up a statement of the matters then depending and undetermined, and the progress that was made therein. Also to examine what laws have expired since the last session, and inspect such temporary laws as

will expire with this, or are near expiring; and report the same to the house, with their opinion which of them ought to be revived and continued. And the said committee shall have power to send for persons, papers and records for their information.

Ordered. That a committee of religion be appointed, and a committee was appointed, consisting of Messrs. Ray, Lackev, Dollerhide, J. Johnstan, M'Closky, Chinn, Jennings. Lockett, Smith, Duncan (of Lincoln) and Stratton; who are to meet and adjourn from day to day, and take under consideration all matters and things relating to religion and morality, and such other matters as may from time to time be referred to them; reporting their proceedings with their opinion thereupon to the house. And the said committee shall have power to send for persons, papers and records for their information.

Mr. James Stonestreet was unanimously elected clerk to the committees of propositions and grievances, and privilegesand elections; and Mr. Jacob Swigert unanimously elected clerk to the committees of claims, religion and for courts of justice.

Ordered, That a message be sent to the senate informing them that this house having met, formed a quorum, and elected their officers, is now ready to proceed to legislative business. Andthat Mr. Hardin carry the said message.

Thompson Ward, Esq. a member returned to serve in this house from the county of Greenup; and Solomon Carter, a member returned from the county of Bracken, severally appeared, produced certificates of their election, and of their having taken the oaths prescribed by the constitution and laws of this commonwealth, and took their seats.

Ordered, That the clerk of this house be permitted to avail himself of the assistance of Mr. James Stonestreet, in the execution of his office during the present session.

Ordered, That the rules of the last, be adopted as those of the present session; and that the public printer forthwith print one hundred and fifty copies thereof, for the use of the members of this house.

Ordered, That Messrs. Wall, Barr, Sharp and M'Kee, be appointed a committee on the part of this house, to meet such committee as may be appointed on the part of the senate, to wait on the lieutenant and acting governor, and informhim, that the general assembly have convened, and are now ready to receive any communication he may think proper to make: that Mr. Wall inform the senate thereof, and request an appointment on their part.

Mr. Hardin moved the following resolution, viz.

Resolved, That a committee be appointed to inquire whether T. T. Barr and Edward R. Chew, returned from Fayette and Breckenridge counties, who have refused to take the oath prescribed by law concerning duelling before entering on the duties of their office, are entitled to take seats as members of this house, with leave to report by hill or otherwise.

Which being twice read, was adopted; and Messrs. Hardin, J. Green, J. T. Johnson, J. Logan. Hanson, Sharp and M'Kee appointed a committee conformably thereto.

A message from the senate by Mr. Jones:

Mr. Speaker,

The senate have adopted the following resolution, viz.
IN SENATE, December 7, 1818.

Resolved by the General Assembly of the Commonwealth of Kentucky, That the following be inserted as an amendment to the joint rules of this legislature, to be inserted after the 8th section, viz. "All rules or regulations passing from one house to the other, shall be considered in the orders of the day when reported, and shall take precedence of the business from the time the report is made, unless a special order to the contrary is made in the house receiving the report."

Extract, &c .- Att.

WILLIS A. LEE, C. S.

In which they request the concurrence of this house.

And then he withdrew.

Mr. M'Millan presented the petition of Walter Preston, guardian of the infant heirs of David Robinson, deceased; representing that the said David Robinson (who resided in the county of Montgomery and state of Virginia at the time of his death) died seized of a tract of land lying in the county of Shelby, in this state: that upon his application as guardian to said infant heirs, the said land has been sold under the provisions of an act of the legislature approved February 3d, 1813; since which time doubts have arisen as to the legality of the safe aforesaid, and praying that the same may be legalized and confirmed.

Was received, read, and referred to the committee for

courts of justice.

Mr. W. Wall from the joint committee appointed to wait on the lieutenant and acting governor, reported that the joint

committee had performed the duty assigned them, and were informed by his excellency, that he would by his secretary, make a written communication (by way of message) to both branches of the legislature in their respective chambers, on to-morrow at twelve o'clock.

And then the house adjourned.

TUESDAY, DECEMBER 8, 1818.

Mr. Nathan Gaither, a member returned to serve in this house, from the county of Adair; and mr. William O. Butler, a member returned from the county of Gallatin, severally appeared, produced certificates of their election, and of their having taken the oaths prescribed by the constitution and laws of this commonwealth, and took their seats.

On motion.

Ordered, That mr. Amos Kendall be permitted to take a seat within the house to the left of the clerk's table, for the purpose of taking a sketch of the proceedings and debates of

this house during the present session.

The petition of Charles C. Carson, representing that he has a just claim against the overseer of the Turnpike and Wilderness Road for work done thereon, provisions furnished the hands, &c. a portion of which said overseer has refused to allow, and praying that a law may pass directing the payment of the balance due him out of the funds arising from tolls on said road.

The petition of Alisana Brown, representing that her father, Thomas Jones, deceased, devised to trustees for her use during life, and to her children after her death, a tract of land lying in Bourbon county: that the income derived from the land is not sufficient for her own support and the education and maintenance of her children, and praying that a law may pass authorising the land to be sold, and the proceeds vested in bank stock, to enable her to effectuate

those objects.

And the petition of Thomas Sterrett, attorney in fact for the heirs of Adam Woods, deceased; representing that the said Adam died seized and possessed of a tract of land in Bourbon county, which has descended to his brothers and sisters, and their legal representatives, (who are his heirs at law,) all of whom are residents of the state of Pennsylvania, and some of them infants. That those who are of are, together with the guardians of said infants, have joined in a power of attorney authorising him to sell and convey said land, but is advised that a sale under those circumstances would be illegal and void; and praying that a law may pass authorising him to sell and convey the land aforesaid.

Were severally received, read, and (together with the documents accompanying the same) referred: the former to a select committee of Messrs. Smith, Parsons and Duncan (of Lincoln,) with leave to report thereon, by bill or otherwise; and the two latter to the committee for courts of justice.

Mr. Hardin from the select committee appointed for that

purpose, made the following report, viz.

The committee appointed to inquire whether Edward R. Chew and Thomas T. Barr, are entitled to seats as members in the house of representatives; have had the subject un-

der consideration; and report-

That it appears that Mr. Chew and Mr. Barr, have been dully returned as members of the house of representatives from the counties of Breckenridge and Fayette: that they possess the qualifications prescribed by the constitution for members; and that they have taken the oath to support the constitution of the United States; and the oath of office asspecified in the first section of the sixth article of the constitution. But that they refuse to take the oath commonly called the oath against duelling, prescribed by the act passed at the session of 1811, entitled " an act more effectually to suppress the practice of duelling," and the subsequent laws amending the same. It also appears to the committee that this refusal does not arise from any alleged violation of the general provisions of those laws; but from a belief that so much of said laws as requires the oath to be taken, is unconstitutional and void.

These laws in substance, require that all officers of the government shall, before entering on the duties of office, take an oath that they have not since a day therein named, given, accepted or knowingly carried a challenge to fight a duel; and that they will not do either during their continuance in-

office.

Your committee are deeply impressed with the baneful influence of the practice of duelling: a practice based upon notions of honor and equality, entirely artificial and falacious ; but unfortunately so ingrafted into our habits and manners as to have baffled the wisdom of legislators. It was the object of the law in question to address in the community at large the honor and pride of office, the feelings of emulation, and the tone of country; and array them against these false notions, and if practicable, banish them from our country.

Your committee are satisfied that this law has already had a visible effect; and they would with some confidence anticipate a period not very distant, when their influence would be felt by all; provided similar laws were co-extensive with our union.

When seven years ago, the members of the general assembly had determined on this experiment; as they expected to operate by the force of example, it was natural for them to consent to set the example which they wished to be followed by all,

Here without an inquiry into constitutional privileges, they laid down that rule for themselves which they prescrib-

ed to others.

Hitherto the members of the general assembly, have conformed to its requisition, whilst it is known many denied its obligatory effect. It is now a matter of duty to decide the

question.

The qualification of the members of the legislature, and their powers and duties are prescribed by the constitution itself: and in every well regulated government ought to form a part of the fundamental laws of the land. Once admit the doctrine, that the legislature can add to, or diminish the qualifications prescribed by the constitution for its members, and you allow them to enlarge or diminish the sphere of choice as may suit the views of those in power. The consequences can neither be foreseen nor calculated. The power of the members of the general assembly flow directly from the people, and the addition of new qualifications is a restriction of the constitutional rights of the people.

Your committee are of opinion that the law in question, so far as it relates to the members of the general assembly, is

of this character.

If the law be viewed as a disqualification for an officer committed, it cannot be sustained in relation to members in its present shape. The constitution, article 6th, section 4th, requires a previous law designating the offence, and its punishment; and requires conviction as the only evidence of its commission, and preparatory to conviction, indictment, trial by jury, confronting of witnesses, &c. and guarantees the citizen against becoming by compulsion his own accuser: See article 10th, sections 6th, 10th and 11th, of the constitution. It is true, that each house possess the power of expelling a member for any act which it may deem unworthy the high station which he holds in the government, but this pow-

er can be exercised but once in relation to the same officer, and from that decision an appeal lies to the people at the

consequent election.

Your committee having taken this view of the law in relation to the case referred to them, deem it their duty to declare that the same reasoning and principles embrace the offices of governor and lieutenant-governor, as well as that of members of the general assembly. But in relation to the other officers coming within the purview of the law, they can perceive no well formed objection to its constitutionality. Its obligatory effect remains, and it ought to be enforced.

They finally recommend the following resolution:

Resolved, That Edward R. Chew and Thomas T. Barr, are entitled to seats as members of the house of representatives, notwithstanding their refusal to take the oath prescribe ed by the laws against duelling.

Which being twice read, was adopted.

A message from the senate by Mr. Bledsoe:

Mr. Speaker,
The senate have adopted the following resolution, to wit:
IN SENATE, December 8, 1818.

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of five members of the senate, and ten of the house of representatives, be appointed to examine into, and report the state of the Bank of Kentucky and its branches; and the causes of the late suspension of specie payments in the same.

Att. WILLIS A. LEE, C. S.

In which resolution they request the concurrence of this house.

And then he withdrew.

The said resolution was then taken up, twice read, and concurred in. And Messrs. Underwood, Hardin, Sharp, Chew, M'Kee, Crittenden, Worthington, Pope, Barnett and Field, were appointed a committee conformably thereto, on the part of this house.

Ordered. That Mr. Underwood inform the senate thereof, Mr. Sharp moved the following resolution, to wit:

Resolved, That a committee of seven he appointed to inquire what amendments (if any) are necessary to be made to a law passed last session, entitled "an act to tax banks in this commonwealth;" and that they have leave to report by hill or otherwise.

Which being twice read was adopted.

And Messrs. Sharp, Underwood, J. Logan, M'Kee, Hanson, J. Green and A. Butler appointed a committee conformably thereto.

Mr. Barr moved the following resolution, to wit :

Resolved, That a committee of seven members be appointed to inquire into the propriety of passing a law to compel banks to pay their debts, and to arrest their charters in cases of misuser; and have leave to report by bill or otherwise.

Which being twice read was agreed to: And Messrs. Barr, Hardin, J. T. Johnson, Coburn, Hickman, T. Ward and Crittenden appointed a committee conformably thereto.

A message from the lieutenant-governor and acting governor, by Mr. Pope, his secretary:

Mr. Speaker.

I am directed by the lieutenant-governor to lay before this house a message in writing.

And then he withdrew.

The said message was then taken up, and read as follows, viz.

Fellow-Citizens of the Senate,

and of the House of Representatives,

I regret, that owing to the declining health of an affectionate and promising son, for some months past, I am unable to give you so full a view of the state of the commonwealth as I could wish to communicate. Under the pressure of domestic affliction the most distressing, I find some consolation in contemplating the enviable condition of our country. national character placed on the most elevated ground, free and happy at home, respected abroad, we seem to be blessed among the nations of the earth. Our arms have been triumphant by sea and land; but let us not forget, that during this season of internal tranquility, it is our duty to improve and mature our civil institutions. Unfortunately for the freedom and happiness of mankind, they have been too much concerned about the affairs of other countries, to attend to those needful regulations of internal polity, upon which their security and welfare essentially depend. While it is our duty to be prepared to repel every assailant of our rights and honor, our chief object should be that of every just and wise government, to render the people free and happy. This is best attained by a diligent attention to our civil institutions. If these are wise and well regulated, if the internal administration of the state is faithfully conducted, the people have little to fear.

With regard to the pecuniary affairs of the penitentiary, I have nothing to communicate. You will be informed on that subject by the report of the auditor of public accounts, which will, I presume, be laid before you at an early period of your present session. It will be recollected, that this business, is, by law, particularly assigned to that officer. I again most earnestly solicit your attention to the state of the building; it is not sufficient to accommodate half the number confined. and is now in a state of rapid decay. I intreat you, general-Iv. or by a large committee, to examine it, and the situation of the unfortunate victims of folly and vice there confined. The humane and philanthropic spirit of our country gave birth to the institution, and it will not, I hope, be abandoned. If this system of punishment and reformation is to be continued, both justice and humanity demand the attention and immediate interference of the legislature. The penitentiary house must be repaired and considerably enlarged. It is certainly the duty and policy of the government, to extend to those unfortunate and suffering beings, all the comfort and accommodation which their health requires, and is consistent with their condition and the end of their confinement, The thanks of the government are due to the Kentucky Auxiliary Bible Society, and the Lexington Independent Bible Society, for Bibles gratuitously furnished the penitentiary since the last session. Before I take leave of this subject. I must remind you that neither the keeper nor agent is authorised by law, to furnish those discharged, with even a small pittance to defray their expences until they can engage in some honest employment; nor are they entitled to ordinary clothing. to disguise the evidences of their past offences. It seems to me inconsistent with the design and spirit of the institution. to cast them off naked and pennyless, with their marks of infamy exposed to public view.

The money appropriated by an act of the last legislature for the improvement of our internal navigation, has, I believe, been expended. Of the probable success of this experiment, I am not informed, nor has there been sufficient time to ascertain whether any lasting advantages are likely to result from it. The report of the commissioners to whom this business has been confided, will, I expect, throw some light on the subject. The object, however, is of too much importance to the people to be relinquished. Whether the mode adopted is the best, I will not decide; but that great improvements are practicable, no doubt can be entertained, Deeming the subject of vital importance to the agricultural

and commercial interests of our state, I must recommend to the legislature a perseverance in the object, in the best mode which wisdom and experience may from time to time sug-

gest.

I must again call your attention to the state of our public roads, so necessary and useful in the intercourse between different parts of the country, and the transportation of our produce to market. The capital necessary to make paved roads, the aversion of the people to paying tolls, and other circumstances, render a resort to some other mode necessary for their improvement and keeping them in repair. A levy for the purpose, allowing each individual to pay in work, on the road for which he may be taxed, has been tried with success in other states, and would probably succeed in this. For the information of travellers and militia companies, and as a guide to sheriffs and other officers, I would suggest the propriety of providing by law for placing sign boards or stones on the different roads, at the crossing of a county line, to designate it. The expence would be small, and the measure useful and convenient.

Several applications have been made to me to release large tracts of land, forfeited for failure to enter them for taxation. or stricken off to the state for taxes due. The applicants seem to rely on the ground, that the failure to enter and pay the taxes has been occasioned by the fraud and negligence of agents, and other circumstances entitling them to the lenity of the government. Although cases of this kind may be within the scope of the executive power, it is so intimately connected with the revenue of the commonwealth, and may be so serious in its consequences, that I deem it advisable to present the subject to your notice. Permit me to suggest the justice and expediency of passing a law providing for those cases in which satisfactory evidence shall be adduced, that the failures have happened in consequence of the fraud or misconduct of agents, and other causes not imputable to the negligence of the owners. How far, and in what cases relief ought to be extended, is most respectfully submitted to your

I beg leave once more to suggest the expediency of commencing a state library at the seat of government. Besides its general utility, such an establishment is necessary for the convenience and information of the members of the legislature, judges of courts, and other public officers. It is believed that the surplus reports of the decisions of the court of appeals, the property of the commonwealth, with a small annual appropriation, would be sufficient for the object.

On the subject of education, I have nothing to add to my last communication. I have only at this time to remark, that we have neither free schools for the education of the poor, nor colleges, nor universities, sufficiently endowed to vie with the literary institutions of our sister states. I have on former occasions given my views so much at large, in favor of a perfect method of education, that I feel reluctant to press it again on your attention. In my last communication I recommended to the legislature to lay off the state into school districts, for the convenience of the poorer part of the people; but they seem to have thought it better to accommodate the country

with a number of banks, than good schools.

The condition of our banks, and especially of the state bank, in which the commonwealth has a large interest, lately compelled to suspend specie payments, as I understand, by a pressure, for specie, from the United States' bank; the refusal of that bank to pay the tax imposed on her branches located in this state, are subjects of primary importance, and claim the early attention of the legislature. Whether congress can erect an immense monied corporation, with power to locate branches in the different states without their consent, and exempt the stock and capital employed from the common burthen of taxation, to which the stock and capital of the state institutions are subject, is a question of some novelty, and of the first magnitude. If the power of taxing has been improperly assumed by the legislature, it ought to be disclaimed, and the law repealed; but if upon an impartial and dispassionate review of the subject, you should be convinced that the power exists, the representatives of the people owe it to themselves, and to the state, to enforce it.

In making these suggestions, I beg leave to assure you and my countrymen generally, that I am not prompted by any particular hostility to the national bank, or a disposition to excite unfounded or unworthy prejudices against it. I am conscious only of a salutary zeal for the rights and independence of the state over which I have the honor to preside. I am indeed, ready to confess, that my sentiments or perhaps prejudices, ever have been, and still are strongly against the banking system. Time and experience instead of conquering these prejudices, have tended to confirm them. I have ever viewed these monied corporations with jealousy. I consider the corporate powers and privileges conferred on them, as so much taken from the power of the people, and a contrivance to rear up in our country, a monied aristocracy. Money is power in whatever hands it is placed; but it is less

dangerous when divided amongst individuals, than when combined and organized in the form of banks. In vain did the American people during their struggle for liberty and independence, destroy the landed aristocracy, then existing under the law authorising estates to be entailed, if a monied aristocracy is to be substituted. Instead of having our national and state legislatures filled with men representing the feelings and interest of the great agricultural class of the community. I fear we shall see the towns through the country, with the aid of those banking aristocracies greatly preponderate on the legislative floor. I must ever be opposed to any system of policy, which independent of its permicious and corrupting influence in other respects, tends to diminish, if not destroy the weight and influence of the farming interest, upon whose virtue and independence the duration of our free

institutions so essentially depends.

While this system exists in the other states, Kentucky can do little to rescue the country from the evils and anti-republican tendencies of these monied corporations. Let us therefore invite a co-operation in some plan, co-extensive with the union, to redeem this young and rising republic, from the mischiefs and dangers of this paper system before it is too late. If permitted to progress and interweave itself with all the interests and concerns of society, it may in a more advanced and dense state of our population, explode in a convulsion of the government. The disease, it is true, has taken deep root, but the American republic is young, and by a vigorous and determined effort, may in a few years exterminate it. Some time may be necessary to enable those institutions to wind up. To effect so desirable an object, I would recommend to the legislature, to propose an amendment to the federal constitution, providing that after a certain period, no incorporated bank should exist in the United States, or if this should be thought going too far, and banks in any shape or to any extent, are useful and necessary, let the banking power he limited, and the system so regulated and restricted as to secure the community against the wide spread ruin and mischief with which we are threatened. These observations are not dictated by any design to awaken an improper indignation against the United States' bank, or to encourage an unconstitutional opposition to its legitimate operations. No patriot, no American, who holds in just estimation, the free principals of constitutional government, for which our ancestors bled, would consent to inflict a wound on our sacred constitution for any amount this gigantic corporation could

pay. I most sincerely exhort you to give the question are impartial and dispassionate consideration, unbiased by state pride, or state jealousy. If, after a mature and candid examination of the subject, you shall be convinced of the constitutional right of the state to impose the tax, I would recommend an amendment or modification of the act imposing the tax, so as to authorise its collection by distress or attackment. If, as I have supposed, the right exists, it ought to be maintained; and I am ready to admit, that my partialities are on the side of the state institutions. The cardinal point, however, with me, is not so much what bank shall prevail, as how the country is to be saved from the evils and oppressions of both.

As the charter of the bank of Kentucky will, if not renewed, expire on the last day of December, 1821, it would seem to me proper for the legislature at their present session, to decide on the expediency of re-chartering it. Considering the time it has been in operation, the extent of its business, and the number of its branches, three years will be little time enough to close its concerns. If the legislature should be opposed to continuing the bank, under any modifications, I would advise the passage of a law, authorising the principal banks and branches to receive the stock at par, in payment of debts. This would enhance the value of the stock

and facilitate the collection of debts.

The frauds and swindling practised on the community, by banking institutions; have erected among the people a distrust of bank paper, generally, a circumstance which operates injuriously upon banks of the soundest capital, and under the best management. To gnard the public as far as practicable against a false and delusive currency, is among the first duties of the government, and in order to insure a faithful and punctual redemption by the banks of the paper they may issue, I would recommend some cautionary provisions, which instead of injuring would be highly beneficial to banks, founded on solid capital and under prudent management; and at the same time operate as a salutary check on those of a different description. Among other things I would recommend the passage of a law, making the stockholders and directors of every bank responsible to a reasonable extent, in their individual capacities, for the notes that Doubts may be entertained by some may be issued. of the power of the legislature to alter or amend acts of incorporation, and in my mind, there was some difficulty on the first view of the subject; but without deciding on the pow-

er of the legislature to repeal an act of incorporation, any modification or amendment which may be necessary and proper to secure the people against frauds and abuses, seems to me to be within the legitimate power of the government, without revoking the corporate privileges granted. Such a visitorial superintending authority is inherent in the sovereignty from which they emanate, and essential to the safety of the community.

I have during the last recess received sundry communicastions from executives of other states, which will in a few

days be laid before you.

I cannot close this communication without congratulating you, and my fellow-citizens generally, on the flattering posture of our national affairs, as portrayed in the late message of the President of the United States to both houses of congress. Our finances in a flourishing state, peaceful and honorable relations maintained with all the world, the constitutional land-marks preserved inviolate, Indian hostilities almost extinguished, new states emerging from the western wilderness, and receiving the hand of fellowship from the elder members of the federal family; and I would add a degree of harmony, toleration, independence and intelligence, pervading our country hardly before witnessed in this, without an example in the history of other nations. Heawen seems inded, to be lavishing her bounties with partial hand on this infant republic. And can a people thus favored, ever forget God? Impossible! Let our hearts then, be deeply penetrated with a sense of gratitude and love to our great benefactor, the author of every good thing.

GABRIEL SLAUGHTER.

Frankfort, December 8th, 1818.

Ordered, That the said message be referred to a committee of the whole house on the state of the commonwealth for tomorrow: and that the public printers forthwith print five hundred copies thereof, for the use of the members of this

The Speaker laid before the house a letter from Robert Alexander, Esq. President of the bank of Kentucky, soliciting the appointment of a committee on subjects relating to that institution; which was then read as follows, to wit:

BANK OF KENTUCKY, 8th Dec. 1818. Sir-The late suspension, and subsequent resumption of specie payments by the Bank of Kentucky and its branches, are measures of sufficient importance to render an investigation of the circumstances that led to them, desirable, both to, the public and the directors of this institution. The directors are anxious to submit their own conduct, and the motives which have governed them, to the view of the legislature, not only in justification of the measures alluded to, but because they believe the causes that decided their conduct, are closely connected with those which have produced the present embarrassments of the country. I am, therefore, instructed by the board, to solicit from the senate and house of representatives an early opportunity of laying before them the causes which in their opinion have rendered those measures expedient, and which, from their continued operation, must add to the embarrassments already felt, unless means can be found to check them.

I am, very respectfully,

Sir, your most obedient servant,

ROBT. ALEXANDER, Pres't.

The Honorable, the Speaker

of the House of Representatives.

Leave was given to bring in the following bills :

On the motion of Mr. Underwood—1. A bill to authorise the editors of the Green river Telegraph, printed at Glasgow, and the Peoples' Friend, printed at Danville, to insert certain advertisements.

On the motion of Mr. Booker—2. A bill to authorise the editors of the Western American, published in Springfield,

to insert certain advertisements in their paper.

And on the motion of Mr. Chew-3. A bill to alter the

mode of laying levy.

Messrs. Underwood, Rennick, Worthington, Ray and M'Kee, were appointed a committee to prepare and bring in the first.

Messrs. Booker, Robinson and Forrest, the second.

And Messrs. Chew, Sharp, W. O. Butler, Breathitt, Ba-

ker, Baylor and Howard, the third.

Mr. Underwood, from the select committee appointed for that purpose, reported a bill to authorise the editors of the Green river Telegraph, printed at Glasgow, and The Peoples' Friend, printed at Danville, to insert certain advertisements.

Which was received and read the first time, and ordered

to be read a second time.

And thereupon the rule of the house and second reading of said bill being dispensed with, (and the same being amended

at the clerk's table) the said bill, as amended, was ordered to be engrossed and read a third time to-morrow.

And then the house adjourned.

WEDNESDAY, DECEMBER, 9, 1818.

The Speaker laid before the house sundry notices and depositions, deposited in the hands of the clerk of this house by the secretary of state, relating to a contest of the election of Jesse Noland, Esq. a member returned to serve in this house from the county of Estill, by Stephen Trigg, who claims a right to a seat in his stead.

The petition of Daniel Owsley and Anthony Owsley, of Lincoln county, praying that a law may pass authorising them to appropriate two thousand acres of vacant and unappropriated land in said county, for the use of salt-works.

Was received, read, and referred to a select committee of Messrs. Duncan (of Lincoln) Howard, M'Kee and Kennedy, giving said committee leave to report thereon by bill or otherwise.

Mr. Jones moved for leave to bring in a bill to take the sense of the good people of this commonwealth, as to the ne-

cessity and expediency of calling a convention.

And the question being taken on granting leave to bring in said bill it passed in the negative; and so the said motion was disagreed to.

The yeas and nays being required thereon by Messrs.

Turner and Jones, were as follows, to wit:

Yeas—Messrs. Allen, Barrett, Berry, Booker, Breathitt, A. Butler, Caldwell, Chew, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Lincoln) Forrest, Gaither, L. Green, J. Green, Givens, Haynes, Jennings, Jones, Lockett, Miller, Morton, Mullens, Noland, Parsons, Phelps, Prather, Scott, Sharp, Smith, Stockton, Turner, Underwood,

J. Ward, Wickliffe and Worthington-38.

Nays—Mr. Speaker, Messrs. Baker, Barnett, Barr, Baylor, Beall, W. O. Butler, Carter, Chinn, Coburn, Crittenden, Duncan (of Daviess.) Field, George, Grant. Hanson, Hardin, Hickman, Howard, Hunter, B. Johnson, Kennedy, Knight. Lackey, Lee, Love J. Logan, B. Logan, Megowan, M'Kee, M'Closky, M'Millan, O'Bannon, Pope, Ray, Robinson, Stratton, Z. Taylor, J. Taylor, Thomas, Todd, W. K. Wall, T. Ward and Williams—43.

Mr. Underwood moved the following resolution, viz.

Resolved, That a committee of five be appointed to inquire into the expediency of surveying the entries on the south side of the Tennessee river, and also the expediency of the appropriating the vacant lands on the south side of the said river, and to report by bill or otherwise.

Which being twice read, was agreed to: And Messrs. Underwood, A. Butler, M Kee, Hardin and J. Logan, ap-

pointed a committee conformably thereto.

A message from the senate by Mr. Bledsoe :

Mr. Speaker,

The senate have passed a bill entitled an act to prevent the making of entries and surveys, and the emanation of grants for certain lands in this commonwealth.

In which they request the concurrence of this house.

And then he withdrew.

The said bill was then read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second reading of said bill being dispensed with, the same was referred to the committee appointed on that subject by a resolution of this house.

The house took up a resolution from the senate for amending the joint rules of the legislature; which being twice read and amended by expunging the last clause of the proposed joint rule, was concurred in.

Ordered, That Mr. Underwood inform the senate thereof,

and request their concurrence in the said amendment.

An engrossed bill entitled an act to authorise the editors of the Green river Telegraph, printed at Glasgow, and The Peoples' Friend, printed at Danville, to insert certain advertisements, was read a third time.

Resolved, That the said bill do pass, and that the title thereof be amended to read " an act to authorise the editors of certain newspapers to insert certain advertisements in their papers.

Ordered, That Mr. Underwood carry the said bill to the

senate and request their concurrence.

Mr. Worthington moved the following resolution, viz. Resolved, That a committee be appointed to inquire if any amendments are necessary to the laws respecting executors and administrators, (and if any) what, and report by bill or otherwise.

Which being twice read was adopted: And Messrs. Worthington, Ray, M'Kee, J. Green, Baylor and Pope, appointed a committee conformably thereto.

Mr. Worthington moved the following resolution:

Resolved, That the committee of courts of justice, be requested to inquire whether any amendments are necessary, (and if any) what, to the laws respecting county courts, and the duties of justices of the peace, and report by bill or other

erwise.

Which being twice read, was adopted.

Leave was given to bring in the following bills:

On the motion of Mr. Parsons—1. A bill to alter and amend the law concerning the turnpike and wilderness road.

On the motion of Mr. Booker-2. A bill to establish the

town of Maxville, in Washington county.

On the motion of Mr. J. Taylor—3. A bill to provide for furnishing the circuit courts with a copy of the statute law.

On the motion of Mr. Jones—4. A bill to grant further relief to actual settlers south of Green river.

And on the motion of Mr. T. Ward-5. A bill for the re-

fief of Tignal Wamack, a citizen of Greenup county.

Messrs. Parsons, Smith, Jones and Barnett, were appointed a committee to prepare and bring in the first: Messrs. Booker, Robinson, Forrest and Ray, the second: Messrs. J. Taylor, W. Wall, Baylor and Sharp, the third: Messrs. Jones, Underwood, Breathitt, Sharp and A. Butler, the fourth; and Messrs. T. Ward, Worthington and Chew, the fifth

A message from the senate by Mr. Jones:

Mr. Speaker,

The senate concur in the amendment proposed by this house to the resolution from that, for amending the joint rules of the legislature.

And then he withdrew.

The house then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth: Mr. A. Butler in the chair; which being resumed by Mr. Speaker, Mr. Butler reported that the committee had, according to order, had under consideration the lieutenant-governor's communication, and had adopted sundry resolutions thereon, which he handed in at the clerk's table, and which being severally twice read, were concurred in as follows, to wit:

1. Resolved, That so much of the acting governor's message as relates to the Penitentiary establishment, be referred to a

select committee.

2. Resolved, That so much of the acting governor's message as relates to improvement of our internal navigation, be referred to a select committee.

3. Resolved, That so much of the acting governor's message as relates to the state of the public roads, be referred to a select committee.

4. Resolved, That so much of the acting governor's message as relates to lands forfeited for a failure to enlist them

for taxation, be referred to a select committee.

5. Resolved, That so much of the acting governor's message as relates to a state library at the seat of government, be referred to a select committee.

6. Resolved, That so much of the acting governor's message as relates to education and the establishment of schools,

he referred to a select committee.

7. Resolved, That so much of the acting governor's message as relates to the state bank, be referred to the committee appointed to inquire into the expediency of more effectually compelling banks to pay their notes in specie.

8. Resolved, That so much of the acting governor's message as relates to the branches of the bank of the United States located in this state, be referred to the committee ap-

pointed on that subject.

Ordered, That Messrs. Todd. Knight, Thomas, Dallam, Dollerhide, Stockton and Barrett, be appointed a committee pursuant to the first resolution: Messrs. A. Butler. Baylor, W. O. Butler. Gaither, Beall, J. Taylor, Howard, L. Green and Wickliffe, pursuant to the second resolution: Messrs. M'Millan, Parsons, Megowan, Chinn, Ray, J. Ward M'-Closky, Turner and Love, pursuant to the third resolution: Messrs. M'Kee, Hanson. George, Booker, T. Ward, Lackey and Breathitt, pursuant to the fourth resolution: Messrs. J. Logan, Barr, Harrison, W. Wall and Hunter, pursuant to the fifth resolution: Messrs. Sharp. Crittenden, J. Green, Coburn, Chew, Hardin, J. Johnston, B. Logan, Underwood, Pope and Jones, pursuant to the sixth resolution.

Mr. Barr presented the petition of Stephen Trigg, contesting the legality of the election of Jesse Noland, the member returned to serve in this house from the county of Estill; and claiming a seat in his stead, and praying that the seat

of said Noland may be vacated.

Which was received, read, and (together with the notices, depositions, &c. laid before the house) referred to a select committee of Messrs. Barr. M'Millan, Sharp, Coburn, Breathitt, W. O. Butler and J. Green, investing said committee with power to send for persons, papers and records for their information.

Mr. Hunter presented the petition of James S. Berryman, guardian to Marcia and Susan P. Sthreshley, and Thomas A. Brooking, who has intermarried Mary Louisa Sthreshley; representing that Thomas Sthreshley and wife, made a conveyance to said Marcia, Susan and Mary Louisa, of a tract of land containing 120 acres, on which valuable and lasting improvements have been made. That a decree has been obtained in the Eayette circuit court for a division thereof between them; but that it is well ascertained that a fair and equitable division cannot be made; and praying legislative permission to sell the same.

Was received, read, and with the accompanying documents referred to a select committee of Messrs. Hunter, Field, Hardin and Crittenden, giving said committee leave to report

thereon by bill or otherwise.

The Speaker laid before the house a communication from Samuel Newell, one of the commissioners appointed to superintend clearing out the obstructions to the navigation of Cumberland river, appointed during the last session, conformably to law, which is as follows:

To the General Assembly of the Commonwealth of Kentucky.

In conformity to a law of this commonwealth, approved January the twenty-eighth, 1818 entitled "an act for the improvement of internal navigation," making it the duty of the commissioners to make a detailed report to the general assembly on the first week of their annual session of the improvements they have made, and of the improvements still necessary, if any, for the security of navigation; I report as follows:

That commencing at Smith's ferry, as high as I thought it prudent for me to commence with the small appropriation of money allotted to my part of the river, which did not exceed 1333 dollars, and having to work a distance of near one hundred miles, it was not to be expected that I could do any great deal of the work necessary for to be done. I have removed a great many obstructions, both natural and artificial, by blowing rocks and removing some of those in the sheals; by cutting and removing a great many logs that were stopped in the channel of the river; by cutting trees that were leaning over the river in places where the river made short turns, and by trimming round islands which I conceive renders it much more safe for running up or down the river. There is a great deal yet remains to be done; there is a great many old logs in the river which ought to be removed; but the task will be a very arduous one if the salt-works on either forks of the river should go into operation. On either of therivers a great deal of work is necessary; it will take an immensity of work on the main river, and not much less on the other. From what I have experienced, I do not believe ten thousand dollars will do the work necessary; but much less will do a great deal of good.

SAMUEL NEWELL.

Novemrer 28, 1818.

Ordered. That said communication be referred to the committee to whom was referred so much of the lieutenant-governor's message as relates to internal navigation.

Mr. Todd moved the following resolution:

Resolved, That a committee of five members be appointed to inquire what measures are necessary for ascertaining and adjusting the boundary line between this state and Tennessee, with leave to report by bill or otherwise.

Which being twice read was adopted: And Messrs. Todd, Underwood, Parsons, Morton and Haynes, appointed a com-

mittee conformably thereto.

And then the house adjourned.

THURSDAY, DECEMBER 10, 1818.

Mr. Adin Coombs, a member returned to serve in this house from the county of Hardin, appeared, produced a certificate of his election, and of his having taken the oaths prescribed by the constitution and laws of this commonwealth, and took his seat.

The petition of Ann Moorland, Eleanor Delaney and Elizabeth Ellison Delaney, representing that they are poor and helpless widowed females, residing together on a piece of vacant and unappropriated land in Cumberland county, containing 150 acres, which they are unable to purchase; and praying that a donation of said tract of land may be made

to them jointly by an act of the legislature.

The petition of Joseph Jones of the town of Petersburg and state of Virginia, representing that he in conjunction with the late John May, purchased from a certain Benjamin Netherland, one fourth part of all the lands he had located for himself, and one fourth part of said Netherland's interest in all lands located for himself and others in Kentucky: that a division of some part of the lands has been made between the petitioner and John May's heirs; that as soon as he received a conveyance of said land, he by his agent tendered to pay

all the taxes due on said lands, but ascertained that they had been previously forfeited to the state for a failure to enlist the same for taxation; and praying that a law may pass relinquishing to him the commonwealth's right to said land,

upon his paying the taxes due thereon.

The petition of the heirs of John Curd, deceased, representing that said Curd devised to the petitioners several tracts of land lying in different counties and disputed by interfering claims: that to save expense and trouble, they pray that a law may pass authorising the appointment of commissioners to sell and convey said lands for the benefit of the petitioners.

The petition of sundry citizens of the county of Nelson, praying that an election precinct may be established therein.

Were severally received, read, and referred; the first and second to the committee for courts of justice; the third to a select committee of Messrs. Crittenden, Barr and Todd; and the fourth to a select committee of Messrs. M'Closky, Harrison and Beall, investing said committees with power to report thereon by bill or otherwise.

A message from the senate by Mr. Owens:

Mr. Speaker,

The senate have passed a bill which originated in this house, entitled an act to authorise the editors of certain newspapers to insert certain advertisements, with an amendment; in which they request the concurrence of this house.

And then he withdrew.

The said amendments was then taken up, twice read, and concurred in.

Ordered, That Mr. Underwood inform the senate thereof. Mr. Hardin from the committee for courts of justice, made

the following report, viz.

The committee of courts of justice, have according to order had under consideration the petition of Alisana Brown, representing that her father Thomas Jones, deceased, devised to trustees for her use during life, and to her children after her death, a tract of land in Bourbon county; that her husband hath departed this life; that she has six children, nearly all of whom are to educate and support; that the proceeds of the land is insufficient for her own support, the education and support of her children; and praying the legislature to pass a law authorising said land to be sold, and the money to be vested in bank stock or in such way as they may direct, to enable her to effectuate those objects; and have come to the following resolution, to wit:

Resolved, That said petition is reasonable.

Which being twice read, was concurred in.

Ordered, That the said committee prepare and bring in a

bill pursuant to said resolution.

The following bills were reported from the several committees appointed to prepare and bring in the same.

By Mr. Smith-1. A bill for the benefit of Charles C.

Carson.

By Mr. Booker-2. A bill establishing the town of Max-

ville, in Washington county.

By Mr. Jones—3. A bill further to regulate the payment of the debt due the commonwealth for the sale of vacant lands.

By Mr. J. Taylor—4. A bill to provide for furnishing the circuit courts with a copy of the statute laws.

By Mr. T. Ward-5. A bill for the relief of Tignal War-

mack, a citizen of Greenup county.

By Mr. Hardin, from the committee for courts of justice as unfinished business of the last session—6. A bill for classing tobacco: 7. A bill to open a road from Montgomery to the Virginia line, by way of Prestonsburg, and for other purposes: 8. A bill to alter the mode of summoning petit jurors.

And by Mr. Hunter-9. A bill for the benefit of the heirs

of William Sthreshley, deceased.

Which bills were severally received and read the first

time, and ordered to be read a second time.

And thereupon the rule of the house and second reading of the ninth bill being dispensed with, the same was ordered to be engrossed and read a third time to-morrow.

A message from the senate by Mr. Wickliff:

Mr. Speaker,

The senate have adopted the following resolution, viz.
IN SENATE, December 10, 1818.

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of three from the senate and six from the house of representatives be appointed to examine and report the state of the treasurer's office; and that four from the senate and ten from the house of representatives be appointed to examine the register's office, and report the state of the same; and that five from the senate and fifteen from the house of representatives be appointed to examine and report the state of the auditor's office.

Att. WILLIS A. LEE, C. S. In which they request the concurrence of this house.

And then he withdrew.

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Ordered, That Messrs. Barr, Coburn, Todd, Beall, Hunter and Chew, be appointed a committee of enrolled bills on the part of this house : that Mr. Barr inform the senate thereof, and request an appointment on their part.

On motion.

Ordered, That Mr. M'Kee and Mr. Smith be added to the committee to whom was referred so much of the lieutenant governor's message as relates to internal navigation; and that Mr. Howard be added to the committee appointed to take under consideration the contested election of the member returned from Estill county.

Leave was given to bring in the following bills:

On the motion of Mr. Smith-1. A bill to alter the time of

holding the county court of Rockcastle county.

On the motion of Mr. L. Green-2. A bill to amend an act entitled " an act to establish and regulate the town of Campbellsville, in Green county.

On the motion of Mr. Stockton-3. A bill authorising a lottery for the purpose of improving the main street in the

town of Flemingsburg.

On the motion of Mr. J. Johnston-4. A bill to extend the

line of Ohio county.

On the motion of Mr. Duncan (of Daviess.) - 5. A bill to repeal an act entitled " an act concerning certain trespasses on lands," approved the 3d of February, 1818.

On the motion of Mr. Pope-6. A bill to alter the mode

of taking in lists of taxable property.

On the motion of Mr. Stratton-7. A bill to amend the law concerning the turnpike road leading from the mouth of Big Sandy through the counties of Greenup and Lewis to Joseph Watkins's.

On the motion of Mr. Logan-3. A bill to appoint commissioners to convey a part of the real estate belonging to the heirs of John Newland and Polly Boyd.

On the motion of Mr. Breathitt-9. A bill to extend the term of the Christian circuit court, and to alter the time of

holding the Logan circuit court.

On the motion of Mr. Howard-10. A bill to amend and reduce into one the several laws regulating the town of Rich-

And on the motion of Mr. Harrison-11. A bill to alter the time of meeting of the general assembly of the commonwealth of Kentucky.

Messrs. Smith, Howard and J. Logan, were appointed a committee to prepare and bring in the first; messrs. La

Green, Barrett and Duncan (of Lincoln) the second; messrs. Stockton, O'Bannon and Williams, the third; messrs. J. Johnston, Chew, Cunningham and Duncan (of Daviess) the fourth; messrs. Duncan (of Daviess) Cunningham and J. Johnston, the fifth; messrs. Pope, J. Logan, George, Kennedy Kuight and Barbour, the sixth; messrs. Stratton, T. Ward, Carter and Coburn, the seventh; messrs, J. Logan, Knight and B. Logan, the eighth; messrs. Breathitt, Dallam, Jennings, A. Butler and Morton, the ninth; messrs. Howard, Barnett, Phelps and M'Millan, the tenth; and messrs. Harrison, Sharp, Hanson, Hardin, Coburn, Howard, George and Wickliffe, the eleventh.

And then the house adjourned.

FRIDAY, DECEMBER 11, 1818.

Mr. Barr from the joint committee of enrollments, reported that the committee had examined an enrolled bill entitled an act authorising certain editors of newspapers to insert certain advertisements; and had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barr inform the senate thereof.

The Speaker laid before the house the report of one of the commissioners of the Kentucky river, appointed under an act of the last session of the general assembly, entitled "an act for the improvement of internal navigation," which was read as follows, viz.

To the honorable the General Assembly of the Commonwealth of Kentucky.

We the undersigned, two of the commissioners appointed by the legislature, on the —— day of January 1818, to superintend the improvement of the navigation of the Kentucky river, together with Daniel Garrard, met in the town of Frankfort, on the —— day of May last past, and after entering into bond and taking the oath required by said act, came to the following agreement, to wit: That is, they laid off the river into three precincts; the first, from the mouth of said river to the permanent bridge; second precinct, from the said bridge to the mouth of Jack's creek, in Madison county; and the third precinct, from the mouth of Jack's creek to the Goose creek salt-works, and the several tributary streams. The

first precinct was allotted to Richard Taylor, the second to John Yantis, and the third to Daniel Garrard.

JOHN YANTIS, C. K. R. RICHARD TAYLOR, C. K. R.

December the 10th, 1818.

To the honorable the General Assembly of the Commonwealth of Kentucky,

Gentlemen—Pursuant to an act of the legislature of this commonwealth aforesaid, passed on the —— day of January 1818, entitled "an act for the improvement of internal navigation," and in conformity to an agreement entered into by the board of commissioners for the Kentucky river and its navigable branches, entered into in the town of Frankfort, on the —— day of May last; the undersigned, one of the commissioners, begs leave to submit the following as his detailed report, to wit:

He proceeded, early in the month of June, to procure tools to work with, provisions and cooking utensils; also to hire hands, to commence as early as the season would permit; and did commence his operations on the 21st day of the same month, with twenty-five laborers, to remove such obstructions, both natural and artificial, as your commissioner con-

ceived to be the most detrimental to navigation.

Your commissioner found, from the mouth of Jack's creek, in Madison county, to Frankfort, the distance computed at about 130 miles. He found 38 fish-dams; all of which your commissioner has had removed, or so much of them as he deemed necessary. Your commissioner found a vast number of old trees, that had been washed into the river in the times of high water, confined by either the roots or limbs in the sand or rocks. Your commissioner succeeded in removing a large portion of them; but owing to the frequent swells of the water in the months of July and August, he was provented from accomplishing that object, to his wishes; consequently there are many yet in the river. A third kind of obstructions, were bending trees, growing on the banks at short bends and hanging over the river; the most of which are removed-principally taken out by the roots, and cut in short pieces. The fourth kind of obstructions, are bars thrown in the river by creeks and rivulets. Your commissioner has taken some short points off them; but much of this kind of improvement yet remains to be done, by still removing more of the bars or islands, and turning the creeks immediately down with the current of the river. The most of them, and almost universally, they run in at right angles,

throwing in rock and sediment, which make the bars or islands; which your commissioner is of opinion it is practicable to remove, which would also much improve navigation. The fifth kind of obstructions, are rocks of a large size, which have fallen from the cliffs into the river. Your commissioner, not deeming them so much in the navigator's way as the foregoing obstructions, has removed but few of them; but does conceive they ought to be removed, and that it is practicable to remove them. He is also of the opinion, it would be of much advantage to the navigation of said river, at some ripples, to turn the present channel, by short canals, and wing-dams.

Your commissioner, for the foregoing purposes, has expended the sum of \$ 2774 13, which will more fully appear by a reference to my abstract account, filed in the auditor's

office.

I am, with high respect, &c.

JOHN YANTIS.

Dec. 10th, 1818.

The petition of Nathaniel Tucker of Green county, representing that he is entitled to 140 acres of land in said county by virtue of a county court certificate, the state price for which he is unable to pay, and praying that the balance remaining due may be remitted, and that a grant may issue to him for said land.

And the petition of sundry citizens of Bracken county, praying that a law may pass to remove the seat of justice of said county from the town of Augusta, to a more central and

eligible site.

Were severally received, read, and referred, the first to a select committee of messrs. Barrett, L. Green and Wickliffe; and the second to a select committee of messrs. Carter, Underwood, J. Green and B. Logan, giving said comittees leave to report thereon by bill or otherwise.

Mr. Baylor presented the report of the commissioners of the Licking river and its navigable branches, appointed under an act of the last session; which was read as follows:

To the Legislature of Kentucky.

We the undersigned, being commissioners appointed by an act of the legislature entitled "an act for the improvement of internal navigation," approved January 28th, 1818; and also an act to regulate mill-dams on the south and main Licking, approved January S1st, 1818; have performed in part the duties assigned us under both acts. We commenced the improvements at the six mile ripple above the mouth of

the river, as those ripples below are generally covered by the back water from the Ohio, and have opened a channel through all the ripples, for small craft, in low water, up as high as Falmouth-a distance of about forty-eight miles. In this distance we have also removed three mill-dams, to wit : Grant's, M'Laughlin's, and Hendricks'; two of which had been abandoned by the proprietors, to wit, Grant and Hendricks; and neither of the three had been built in faith of, or in pursuance to any of the existing laws of this commonwealth. From Falmouth to Beaver creek, a distance of thirty-two miles, the fish-dams are all removed, and Jackson's mill-dam; but no channel opened through the ripples. owing to the season being too far advanced for the hands to work in the water. From the mouth of Beaver creek to the lower Blue Lick, a distance of twenty-seven miles, we have removed one mill-dam, which had been abandoned by the proprietors, who had never complied with the law under which they built. We have also removed the fish-dams, and cut the timber off the points, which were the greatest natural obstruction to boats descending the river. From this place to the mouth of Slate creek, a distance of about fifty miles. we have only cut some of the timber, which rendered the navigation the most dangerous. On this part of the river, there are seven merchant mills, which are valuable to that part of the country, as the soil is well adapted to wheat, and the country well populated. All these dams are built higher than is authorised by the law; but are not higher than is necessary to give them a sufficient head of water for manufacturing of flour, so as to make them profitable to the proprietors, or to the country generally. There were exported from those mills on Licking and its tributary streams in that part of the country, the last season, eight thousand eight hundred barrels of flour, beside a considerable quantity of tobacco, pork, bacon, lard, corn, &c. It will greatly improve the navigation of this part of Licking, by erecting locks in the dams, for the passage of boats; as the river below the dams, will frequently give a sufficient depth of water for boating, when the boats will not be able to cross the dams; and as the navigation is intended for the benefit of the country generally, it will be a subject for the decision of the legislature, to say whether the millers are to erect those locks at their own expence, for public berefit, or whether they shall be erected by the commissioners, out of the public appropriations. From this to the mouth of Triplet, a distance of twenty-four miles, we have done no work; but there is a

tolerable population to this point. From here the river may be made navigable for forty or fifty miles up; the country generally mountainous, affording large quantities of lumber and tar, as well as Triplet's creek, both of which are thinly

populated, except the bottoms on the water courses.

We have removed the natural obstructions in the south fork of Licking, from its mouth, in Pendleton county, to Paris, in Bourbon county, a distance of between seventy and eighty miles. From the mouth to Eckler's mill, a distance of about thirty-six miles, there are three mill-dams, neither of which are much obstruction to the navigation, as they are so low that slopes may be made to answer to them, if they can in any case, although we consider them generally of but little advantage, unless to dams of two or three feet in height, if to anv.

The natural obstructions in this part of the river, were probably greater than in any other stream of the same length in the state; as the river was so filled with islands, that the channel was completely obstructed, and divided and sub-divided so as to render it entirely impracticable to beat on it

for several years past.

We have opened the channel sufficiently wide and straight, by cutting away the timber for the safe passage of boats with a good tide. This was sufficiently proven by a rise of water that took place when we were at work on the river, which swept off all the timber that was cut, without leaving a single drift in any part of the channel we had opened. From Eckler's mill to Paris, a distance of about thirty-six miles, the natural obstructions are but few, when compared to those below. In this distance there are eight mill-dams too high for boats to pass, unless in a very high fresh, when it is rather dangerous boating. There is in this distance room for six or seven more dams, which would dam the water the whole distance of thirty-six miles; if erected would give a good and safe navigation all the year, by erecting locks in them for the passage of boats. In this part of the stream the timber which was cut still remains, as there has not been a flood to remove it. We are of opinion that, that part of the law requiring millers on the south fork to erect locks or slopes at their own expense will prove ineffectual; as experience has proven that slopes to high dams are a useless expense; and as to locks, we are well persuaded that the millers are not able to incur the expense; and as to the propriety, it is a subject we have already stated for your decision. We should have surveyed and levelled the south fork if we

had had time, in order to have ascertained the fall in it, and the number of dams and locks it would require in order to complete a lock navigation from Paris intomain Licking. This we conceive to be an important part of work necessary to be done the next season; and also to work the south fork from Eckler's mill to the mouth of the south fork, and from the Lower Blue Lick to the Ohio, so as to make them both a safe downward navigation. We have remaining and unexpended, the sum of 4,584 dollars 57 cents of the appropriation, which we conceive to be sufficient to remove those obstructions yet remaining, which will render both streams very safe for boating downward; and also up for boats of a light description. The sum above stated as a balance in our hands, we have deposited in the Paris branch bank to the credit of the state : and have filed with the auditor the cashier's certificate of the deposit. This we did believing it would be much more convenient for the commissioners when appointed, to get the money; and the reason why we did not expend a greater part of the appropriation, was owing to the season. We are of opinion that all the next appropriation may be applied to the erection of locks in the dams on main and south Licking. And if the legislature should direct those improvements to be made the next year, it would be a saving of money for one of the commissioners, or some other person, to be authorised to go to Virginia to examine the locks on James river, and take a drawing of some of them, and to superintend the erection of the locks. And in order to show the necessity of improving the navigation of the south fork, we have procured in part. the amount paid the last year for waggoning produce from the south fork to main Licking and the Ohio rivers.

There were 5806 barrels of flour sent from Harrison and Bourbon counties to the mouth of Beaver creek and the lower Blue Lick on main Licking at three shilling per harrel, amounting to \$2903 221 hogsheads of tobacco at \$4.50 cents, 994.50 1143 barrels of whiskey at 5 shillings and ninepence and 4 shillings and sixpence per barrel, 757

There were sent from Boardon county to Maysville, 2126 barrels of whiskey at from 6 to 9 shillings

per barrel, 2,875 50 366 barrels of flour at 6 to 9 shillings per barrel, 350 31,667 lbs. of bacon, from 3 to 4 chillings and

31.667 lbs. of bacon, from 3 to 4 shillings and sixpence per 100 lbs. 169 78

14,723 lbs. of lard, from 3 to 4 shillings and sixpence		
per 100 lbs.		09
20,760 lbs. of leaf and manufactured tobacco at 3 shil-		
lings per 100 lbs.	103	80
2500 lbs. of wool, at 3 shillings per 160 lbs.	12	50
Sundries,	12	70
是是那些性性。这是这种对连续是是2000年的第三人称单数的特殊和企业是自然的的企业和企业和企业的企业。		The second

Making an aggregate of \$8.255 82

Being a sum greater than the appropriation; which sum must increase annually in proportion to the increase of pop-

ulation, and the wealth of the country.

This stream when improved, must be the channel through which the produce from part of the counties of Scott, Fayette, Clarke and Montgomery must be sent to market, as well as from Harrison and Bourbon, as it will be more convenient to ship produce from Paris and Cynthiana, than from the nearset point of the Kentucky. Which is respectfully submitted.

J. N. STOCKWELL, JAMES GARRARD, Jr. WILLIAM HOUSE.

Ordered, That mr. Crittenden be excused from, and mr. W. O. Butler be added to the joint committee appointed to examine into, and report upon the state of the bank of Kentucky and its branches, and to inquire into the causes of the late suspension of specie payments by that institution.

Mr. Coburn from the joint committee of enrolments, reported that the committee had deposited on this day in the office of the secretary of state for the approbation and signature of the lieutenant-governor, the enrolled bill signed on this day by the speaker of this house.

Mr. Todd read and laid on the table the following reso-

lution, to wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will on Thursday the 17th instant, proceed to the election of a member of the senate of the United States for the next senatorial term, to commence on the 4th of March next, in the place of the Hon. Isham Talbot, whose term of service will then expire.

Mr. Underwood presented the report of the commissioners appointed under an act of the last session for the improvement of internal navigation, to superintend the removal of obstructions to the navigation of Green river; which was

read as follows, viz.

GLASGOW, March 9th. 1818.

This day the commissioners appointed by an act of the legislature of the commonwealth of Kentucky, approved January —, 1818, to superintend the removal of obstructions to navigation in Green river and its navigable branches, met, and entered into bond with security, agreeable to the above recited act; and resolved that Col. Samuel Murrel file said bond in the secretary's office, and that he make the necessary arrangements for drawing the money appropriated for the above purpose. And it is further resolved, that the undersigned commissioners hold their next meeting at the Vienna falls of Green river, on the 25th day of April next.

(Signed)

DAVID C. BONAN, SAMUEL MURREL, S. WORTHINGTON.

VIENNA FALLS OF GREEN RIVER, 25th April, 1818. The commissioners aforesaid, met agreeable to appointment; and upon mature deliberation, were of opinion, that the business could be expedited to greater advantage, by each commissioner superintending at different points: Where-

upon.

Resolved. That David C. Donan commence at such point of Green river, above the mouth of Big Barren river, as he may deem proper; and that Samuel Murrel commence his operations on Big Barren river; and S. Worthington, at the Vienna falls of Green river, conformable to a plan agreed upon; which is, to place a line-dam parallel with the left bank of the river, so as to form a sluice of one hundred feet wide, for the passage of boats; a plan of which is to accompany the report. And that each commissioner make his own report, which three reports shall constitute the detailed report required to be made to the legislature the first week of their session.

DAVID C. DONAN, SAMUEL MURREL, S. WORTHINGTON.

To the honorable the General Assembly of the Commonwealth of

Kentucky.

In pursuance to an act of the general assembly, passed on the —— day of January 1818, entitled "an act for the improvement of internal navigation," your commissioner (one of the commissioners for Green river) will endeavor to give, in part, the detailed report required by said act.

Your commissioner, conformable to resolutions entered into by the board, marked No. 1, (and which he begs leave to

make a part of this report) proceeded to purchase the necessary tools and provisions, and actually commenced work, at the Vienna falls of Green river, on the first day of June. The board determined to render the falls aforesaid navigable, as stated in their resolutions, and as shown by the enrolled drawing marked (D), referred to in said resolutions. Here follows the work done at said falls: The line-dam is extended upwards of four hundred yards long, though not completely filled in with rock; it however can be accomplished in ten days by thirty hands. A large quantity of timber is also prepared and hauled to the bank of the river. Here follows a written description of the plan, designed to render said falls navigable: The line-dam was made by placing hewed timbers, ten by fourteen inches in size, nicely fitted to the bottom, six feet eight inches apart, fastened together with ties let in with a dovetail, every five or six feet; an iron bolt, weighing from four to five pounds, was let through the end of each top sill into the bottom sill, and the joints carefully broke; the space between the timbers was then filled in with rock. This dam is twenty-eight inches in height, and six feet eight inches in width, as before stated; and is designed to be about 500 yards long. Upon accomplishing this dam, it was intended to throw a temporary dam from the upper end of the line-dam to the bank, thereby excluding the water from the intended channel; the rock (which is a kind of slate rock) will be cut out of the channel. from 15 to 18 inches deep, and 35 feet wide; three abutments will then be built, to answer the several purposes of confining the water to a narrower channel to prevent beats from striking the shores, and to prevent the bank from washing away. The temporary dam will then be removed, and a wing-dam, twelve feet wide, built in the same manner of the line-dam. thrown from the north and upper end of the line-dam, so far across the river as to raise the water to the top of the linedam. This being effected, the falls will be navigable, at the lowest stages, for boats drawing four and a half feet water.

Similar measures, though upon a much smaller and less expensive scale, will have to be adopted at Milligan's,

Night's and Vinegim's falls.

The amount of money placed in my hands, was \$4000; the amount expended at the Vienna falls, \$3561 25, and a residue in my hands of \$447 75; all of which is shown in my account filed with the auditor. And the whole respectfully submitted.

S. WORTHINGTON.

December, 1818,

To the honorable the General Assembly of the Commonwealth of Kentucky.

GENTLEMEN—Persuant to an act of the legislature of this commonwealth, approved January 1818, entitled "an act for the improvement of internal navigation," and in conformity to a resolution entered into by the board of commissioners for Green river and its navigable branches, held at the Vienna falls, April 25th, 1818, which appears in report No. 1, the undersigned, one of the commissioners aforesaid,

begs leave to make the following report, to wit:

Proceeded to hire bands, engage provisions and purchase suitable implements; in the month of July, repaired to Big Barren river in person, with twelve laborers; continued with them generally, and in the course of the summer succeeded in removing the most detrimental obstructions to the navigation, from the junction of the two rivers to Shipley's mill; computed distance by water, 150 miles; the expenditures amounting to S 1154 8½; which will more satisfactorily appear by a reference to an abstract of accounts filed in the auditor's office.

Your commissioner will observe, that owing to frequent swells of the water, he was prevented from removing many obstructions which still remain; but upon the whole, has no hesitation in stating, that the advantages gained, so far as labor has been done, are considerable; as a boat can sail on a tide of four feet water, with greater safety now, than she could on eight before the improvement; yet there remains much to be done. From the junction of the two rivers to the Vienna falls, nothing is done, except some rocks blown near Morgantown. Little doubt remains, should next season be dry, and the waters continue low during the summer, but that the navigation of those rivers may be made entirely secure.

Your commissioner would beg leave to submit a few remarks. In all public measures, that meet the approbation of the people, more or less enthusiasm attaches: In no one that has come under my notice, more than the present one for the improvement of internal navigation. Whilst a few execrate the measure, the majority appreciate it in a high degree. Some would have every little rivulet converted into a navigable stream. Having had a view of all the tributary streams that fall into Big Barren river, I am clearly of opinion, that not one of them can be useful for navigation; but if reserved for the purposes of mills and other water-works, would ultimately prove advantageous to the community.

Bridges across, or partial dams in a navigable stream, for the purpose of erecting water-works, cannot fail to be obstructions, and render the passage of boats more unsafe than they would otherwise be.

With due respect, &c.

SAMUEL MURREL.

December 1st. 1818.

To the honorable the General Assembly of Kentucky. David C. Donan, one of the commissioners for opening and improving the navigation of Green river and its navigable branches, reports to your honorable body: That he commenced opening and clearing the aforesaid river, at the mouth of Robeson's creek, and has rendered said river, from thence down, passing Greensburgh, to the mouth of Big Barren river-which has always been the most difficult and dangerous navigation, owing to the numerous islands, rocks and short bends in the river-so safe and free from obstructions, that a boat may now pass in more safety, with two and a half feet less water than formerly; a distance of about 250 miles. He further states, that he has drawn out of the river all of the most prominent and dangerous trees and roots ; he has blown and taken out of the river eight rocks, of the following description: 1st, About ten feet long, four feet wide and six feet high; 2d, ten feet long, eight feet wide and five feet high; 3d, six feet long, five feet wide and five feet high; 4th, twelve feet long, six feet wide and four feet high; 5th, about fifteen feet square, and four feet high; 6th, fifty feet long, twenty feet wide and sixteen feet high. This last has been the most dangerous rock in Green river, and the most dreaded by navigators, in consequence of its lying across the stream in a short bend of the river. Also two other rocks, lying below the mouth of Nolin creek, nearly thirty feet square, have been removed. He has removed about fifty fish-dams, cut away and cleared out the obstructions in the short bends, so that boats can pass close to the shore without injury from limbs of trees or drift-wood. From Robeson's creek up the river, nothing has been done; but much is necessary to be done. On Robeson's creek, Nolin, Ruff creek and Pond river, nothing has been done. Knowing that in one season the whole could not be effected. he turned his attention to those parts, the clearing out of which would most promote the public good. There are still some trunks of trees, lying low in the channel of the river, though not very dangerous, which it would be well to remove. Below the mouth of Big Barren river, much remains

to be done. There are snags and trees standing, against which large piles of drift are lodged in deep water, which are very dangerous and difficult to pass at any time, and especially in low water. There are several large and dangerous rocks below the mouth of Nolin, as also in Nolin creek. He further states, that he has not used the whole of the money put into his hands; as he thought, owing to the approaching season, he could not make an advantageous application of it. He has received on his part, as one of the commissioners, the sum of \$3533 34; he has expended, as will appear from his account, legally attested and placed in the auditor's office, \$2586 00\frac{3}{4}; remaining in his hands, the sum of \$747 35\frac{1}{4}.

All of which he respectfully submits.

DAVID C. DONAN.

December, 1818.

On motion.

Ordered, That the report of the several commissioners under the act for the improvement of internal navigation, be referred to the committee to whom was referred so much of the lieutenant-governor's message as relates to that subject.

Ordered, That the public printers forthwith print 130 copies of each of said reports for the use of the members of this

house.

An engrossed bill entitled an act for the benefit of the heirs of William Sthreshley, deceased, was read a third

Resolved, That said bill do pass, and that the title thereof be amended to read " an act for the benefit of part of the children of William Sthreshley, deceased."

Ordered, That Mr. Hunter carry the said bill to the sen-

ate and request their concurrence.

The following bills were severally read a second time.

1. A bill for the benefit of Charles C. Carson; 2. A bill establishing the town of Maxville in Washington county; 3. A bill further to regulate the payment of the debt due the commonwealth for the sale of vacant lands; 4. A bill to provide for furnishing the circuit courts with a copy of the statute laws; 5. A bill for the relief of Tignal Wamack, a citizen of Greenup county; 6. A bill for classing tobacco; 7. A bill to open a road from Mountsterling to the Virginia line, by way of Prestonsburg, and for other purposes; and 8. A bill to alter the mode of summoning petit jurors.

The first, second, third and fourth, were severally ordered to be engrossed, and read a third time to-morrow; the fifth

was committed to a select committee of messrs. T. Ward, Kennedy, Dallam, Worthington and Chew; the sixth to a select committee of messrs. Barr, Howard, Underwood, B. Johnson, M'Kee, M'Millan, Allen, Barbour and Dallam; the seventh to a select committee of messrs. Lackey, M'Kee, Hardin, Williams, W. Wall and Barr; and the eighth was committed to a committee of the whole house on the state of the commonwealth for Monday next.

Ordered, That the public printers forthwith print 150 copies of the eighth bill for the use of the members of this house. Leave was given to bring in the following bills:

On the motion of Mr. Haynes—1. A bill supplemental to an act passed on the 15th December, 1817, for the benefit of the widow and heirs of Thomas Clarke, deceased, of Livingston county.

On the motion of Mr. Hardin-2. A bill for the benefit of

the register of the land office.

And on the motion of Mr. Jones—3. A bill prohibiting an obligee or obligees from suing out separate and distinct original writs and motions, when motions are allowed to be brought, against two or more joint and several obligors.

Messrs. Haynes, Knight and Dallam, were appointed a committee to prepare and bring in the first; messrs. Harding Todd and George, the second; and messrs. Jones, Underwood, A. Butler, W. Wall and Worthington, the third.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By Mr. J. Johnston—1. A bill to extend the line of Ohio county.

By Mr Stockton—2. A bill authorising a lottery for the purpose of improveing the main street in the town of Flemingsburg.

By Mr. Hardin-3. A bill for the benefit of the register of

the land office.

And by Mr. Breathitt—4. A bill to extend the terms of the Christian circuit court, and to alter the time of holding the Logan circuit court.

Which bills were severally received and read the first time, and ordered to be read a second time.

Mr. J. Logan read, and laid on the table the following resolution, to wit:

Resolved by the senate and house of representatives of the commonwealth of Kentucky, That the auditor of public accounts be directed to employ counsel to assist the attorney general in the prosecution of all demands and actions which

shall have accrued to the commonwealth by virtue of an act of assembly entitled " an act to tax certain banks within this commonwealth."

A message from the senate by Mr. Barry :

Mr. Speaker,

The senate have adopted the following resolution, viz.

IN SENATE, December 11, 1818.

Whereas the interest of the United States requires that a preference should be given to those articles that are the growth and manufacture of our own country, and that we abstain from the use of European commodities, when those of our own country are to be procured upon reasonable terms:

Resolved by the general assembly of the commonwealth of Kentucky. That it be recommended to the good people of this commonwealth, to use every exertion to promote domestic manufactures; and the members of the general assembly, in order to effect this object, and bring them into general use, will, as soon as practicable, clothe themselves in productions of American manufacture, and will discourage the use of those of European fabric.

Resolved, That it be recommended to the officers of government of this state, and the members of the senate and house of representatives of this state in congress, to clothe themselves (especially when acting in their public capacities) in the manufactured goods of our own country; and to use all practicable means to introduce them into domestic and general use, in preference to those of foreign importation.

Adopted unanimously.

Att. WILLIS A. LEE, C. S.

In which resolution they request the concurrence of this house.

And then he withdrew.

The said resolution was then taken up, twice read, and concurred in.

Ordered, That Mr. Barr inform the senate thereof.

The house took up the resolution from the senate for appointing joint committees to examine the public offices; which being twice read and amended so as to reduce the committee to consist of three members from the senate, and six from the house of representatives, was concurred in.

Ordered, That Mr. Barr, inform the senate thereof, and

request their concurrence in the said amendment.

Mr. Barr read and laid on the table the following resolu-

Resolved by the general assembly of the commonwealth of Kentucky, That the secretary of the senate and the clerk of the house of representatives, be, and they are hereby respectively authorised to procure from time to time a sufficient quantity of parchment on which to enroll the bills passed by the general assembly; and that they report the cost of the same to the auditor of public accounts; who is hereby authorised upon the delivery of proper vouchers to audit and pass the same.

And thereupon the rule of the house being dispensed with, the said resolution was taken up, twice read, and concurred in

Ordered, That Mr. Barr inform the senate thereof.
Mr. Booker moved the following resolution, viz.

Resolved, That a committee of seven be appointed to inquire into the expediency of revising the statute laws of this commonwealth, with leave to report by bill or otherwise.

Which being twice read was adopted: And Messrs, Booker, Hardin, Pope, Sharp, M'Kee, Hanson, J. Taylor and J. Green, appointed a committee conformably thereto.

Mr. J. Green presented the petition of the Danville academy, representing that a part of the public groundin said town has been sold for the benefit of said academy, the payments for which are now becoming due: that by the liberality of individuals who have subscribed, and from the expectations of liberal aid from the synod of Kentucky, connected with other considerations, they pray that the present corporation of the Danville academy may be merged in a larger number of persons, under the style and title of the Kentucky College; which they pray may be incorporated with the usual powers, &c.

Which was received, read, and referred to a select committee of messrs. J. Green, Worthington, Hardin, Underwood and M'Kee, giving said committe leave to report thereon by hill or otherwise.

Mr. Underwood from the joint committee appointed to examine into, and report upon the state of the bank of Kentucky and its branches, and to inquire into the causes which led to the late suspension of specie payments, made the following report, to wit:

The joint committee of the senate and house of representatives of the legislature of the commonwealth of Kentucky, raised to examine the state of the bank of Kentucky and its branches, and to inquire into the causes which led to the late suspension and resumption of specie payments, have but par-

tially performed their duty. In consequence of a want of late reports from some of the branches of the institution; the committee have confined their attention sxclu-ively to the causes which led to the suspension and resumption of specie payments. On this subject the committee have received a report from the president and directors of the bank, which is herewith respectfully submitted, and they concur in adopting the following resolution:

Resolved, That the report of the president and directors of the bank of Kentucky, setting forth the causes of the late suspension and resumption of specie hayments, be spread on the journals of each house and published in the Argus for the

information of the public.

The following statement is submitted to the joint committee of the senate and house of representatives, appointed by the legislature to inquire into the causes which led to the suspension and subsequent resumption of specie payments by

the bank of Kentucky and its branches.

That by the books of the bank of Kentucky, it appears that from the month, of September, 1815, to the Som Becember, 1814, (a period of regular business when no peculiar or extraordinary circumstances occurred to produce oscillation in the operation of the bank) whilst the capital of the bank of Kentucky (exclusive of its branches) advanced from \$263,300 to \$350,000; its botes in circulation advanced from the amount of \$100,000 to \$339,000. The amount of deposits (exclusive of those by the government of the U. States and by this state) advanced from \$23,000 to 52,000, and the demand on the bank for specie was comparatively small.

That subsequent to the peace and the resumption of specie payments, no extraordinary demand the specie was experienced by this bank from individuals; but the confidence in this institution appeared unaffected by the suspension of spe-

cie payments during a period of war.

That on the 21st of April, 1817, the notes of this bank (excluding its branches) then in circulation amounted to \$417, 000; its capital to 550 000. The balances of accounts current or deposites (excluding these of the United States and of this state) amounted to \$58,416.

That on the 30th December, 1817, the capital of this bank had advanced to \$603,000% its notes in circulation were reduced to \$29,000. The balances of accounts current or deposites, exclusive of those due the state and the bank of the United States, were \$404,000.

That on the 20th of November last, with a capital belonging to this bank (exclusive of its branches) of \$635,000; its notes in circulation were reduced to 195,000; the deposites (excluding those of the state and of the bank of the United States) were 27,000.

Since that time the demand for specie has continued and the notes in circulation at this time amount only to \$161,000.

In the course of the present year this bank alone, exclusive of its branches has imported from New-Orleans and from the eastward of the Alleghany in specie \$240,000. Since the 1st of January last to the 20th November, this bank exclusive of its branches, had paid in specie about \$250,000, of which sum \$82.000 has been paid to the bank United States since the first of June last.

That the specie in the vaults of this bank (notwithstanding the importations from New-Orleans and the castward, and notwithstanding receipts from other quarters) had been reduced on the 20th November last to a sum greatly below the amount on hand when specie payments were resumed in the

spring of 1817.

That from the 30th August to the 20th November last the sum of \$95,000 had been drawn in specie from this bank exclusive of the sums drawn from the branches. That at the time of the suspension of specie payments on the 20th November last, the balance due and liquidated from this bank and its branches to the office of discount and deposite of the bank of the United States at Lexington, was \$196,000; and the notes held and unreported were estimated at a considerable sum, calculating the amount from the accumulation which had occurred in similar spaces since the former liquidation. The amount of the demand, at and immediately before the suspension of specie payments, on the 20th of November last, by the officers of the bank of the United States at Lexington and Louisville, upon the bank of Kentucky and its branches amounted to \$409,000 including in that estimate the sum of \$55,000 drawn in specie from our branch at Louisville.

Over and above these demands the directors of the bank of Kentucky had reason to believe, that large sums of the paper of the bank of Kentucky and its branches, were in the hands of the receivers of the United States for sales of public lands, and would shortly be deposited in the offices of the bank of the United States at Lexington and Louisville as additions to the demand of \$409,000 above stated, and that from this source, heavy and continued additions to the demands of the banks of the United States might be expected.

That owing to the difficulties and embarrassments of the times and apparent distress of the community by the abstraction of a considerable portion of the circulating medium of the country, and the increased pressure and embarrassment anticipated, should the banks attempt a speedy collection of their funds by the curtailment of discounts, balances had been suffered to run on interest at the offices of the bank of the United States; and some of the branches of the bank of Kentucky, calculating on a continuance of their interest accounts, were not prepared to pay their balances to the bank

of the United States upon a short notice.

That the cashiers of the offices of the bank of the United States at Lexington and Louisville were instructed by the board of directors at Philadelphia to put an end to the interest accounts and collect the balances without delay. Upon being informed of such instructions the board of directors of the bank of Kentucky appointed a committee to negotiate for time for payment of the reported balances due from the bank of Kentucky and its branches and for holding up for a time the paper on hand not reported. That committee addressed a letter to the cashier of the office of discount and deposite of the bank of the United States at Lexington, in substance as follows:

SIR—We are directed by the bank of Kentucky to apply to the office of discount and deposite of the U. States' Bank in Lexington, for information whether any, and what indulgence can be given for the balances now due by that institution and its branches, and to ascertain what measures will be pursued with such paper of the latter institution as is now held or may hereafter be received by the office of discount and deposite. The motives which have led them to ask for this information are the pressure produced upon the establishment by the rapid influx of their paper, the necessity of preparing by every means in their power to meet the demands they have reason to expect, and the apprehension, that with all their efforts, the great difficulty which the present state of the country presents to collections, may prevent their effecting this object.

It is the earnest wish of the bank of Kentucky to avoid a catastrophe, the consequences of which cannot be foreseen, and it is their duty to attempt any measure which may be calculated to put this in their power or may lighten the pressure upon the country. The most effectual of these it is conceived would be to obtain from your institution the indulgence now suggested. If our opinion is asked of the extent of the

indulgence necessary to enable the bank of Kentucky to effeet the objects we have mentioned, we believe that payments of the present balances in three instalments, one third when due, one third in thirty, and one third in sixty days, with interest, and an assurance that the paper of the bank of Kentucky and its branches, now in your hands, and hereafter to be received would be retained until instructions from the mother bank should reach you, would answer their purpose.

Should you deem the intervention of your board on the subject of this application necessary, be so good as to lay this

letter before them. Very respectfully.

E. Sallomon, Esq. Cashier.

LEXINGTON, November 18, 1818.

To which an answer was returned in substance as follows, as reported by the said committee to the board of directors

of the bank of Kentucky, viz.

The cashier of the branch bank of the United States at Lexington stated, that he was willing to receive the balances in good bills at sixty and ninety days drawn by individuals and endorsed by the bank, but that he was prohibited by his instructions from granting time; that he would undertake to retain the paper of the bank and its branches which he then held or might hereafter receive until he received instructions from the bank of the U. States, provided such instructions reached him within a reasonable time.

Upon the report of the committee the board of directors

came to the following resolution:

Resolved, That in the opinion of this board, the interest of the state, the interest of its citizens, and the interest of the stock-holders require, that the bank of Kentucky and its offices of discount and deposite should suspend the payment of specie until the subject can be presented to the consideration of the legislature, or until the further order of this board.

Upon notification of this resolution, propositions were made to this board by the cashier of the office of discount and deposite of the bank of the U. States at Lexington through our branch at Lexington, offering to give time for payment of the balances from this bank and its branches by instalments of ten per cent. when due, and ten per cent. every sixty days thereafter with interest, &c. which propositions were accepted by the board of directors of the bank of Kentucky, and specie payments were immediately resumed.

The bank of Kentucky with a view to the payment of balances due the bank of the U. States had purchased bills and

A Company of the Comp

acceptances payable at their office of discount and deposite at Lexington to the amount of about fifty-five thousand dollars; but the cashier refused to collect for this bank until after the balances were paid.

The sums stated above are in round numbers, and are sub-

stantially correct.

By order of the Board.

ROBT. ALEXANDER, Pres't.

The resolution recommended by said committee being twice read, was concurred in.

Ordered. That the public printers forthwith print 500 copies of said report for the use of the members of this house.

And then the house adjourned.

SATURDAY, DECEMBER 12, 1818.

The Speaker laid before the house a letter from the auditor of public accounts, covering several documents exhibiting the state of his office.

Which letter and documents were then taken up and read as follows, viz.

AUDITOR'S OFFICE, Dec. 11th, 1818.

Joseph C. Breckenridge, Speaker

of the House of Representatives,

You will please give to the house over which you preside, the accompanying statements, Nos. 1 to 7.

Your obedient servant,

J. MADISON, Aud.

A statement of monies received and paid at the treasury, in the year ending on the 10th day of November 1818.

RECEIVED.

For revenue collectable by sheriffs,

or reference	confection of shorth	O SERVICE DE LA CONTRACTION DE	
for the year	1806,	251	08
ditto	1808,	103	26
ditto	1809,	185	50
ditto	1814.	1.148	29
ditto	1816.	53.977	
ditto	1817.	9.178	30

57,844 01

For taxes on law process, decds, scals, and other public documents, viz.

. Transfer of the state of the		
Clerks of courts,	8,956	10
Register,	1.054	23

Secretary,	20 90) _ 10,031 25
For tax on non-residents' land, in paid for the benefit of purchase For fines and forfeitures of recog For dividends on the state stock Kentucky, viz.	ers, nizances, in the Bank o	5,669 24 1,415 84 f
For the 6 months ending 1st Jan. 1 ditto 1st July 1	818, 23,447 5	3 - 45,147 47
For tax on stock owned by inc Bank of Kentucky,		e 5,990 6%
For the sale of stray horses, res &c. &c. Of John P. Thomas, ex-treasu		220 34
and costs, over and above a which he was in default on the 1818, For funds appropriated for bank Lands granted under the acts of	326.607 86, to 30th of Januar stock, viz.	r
1797 and 1800, termed rights," Ditto, act of February 6th, 1 Ditto, Tellico,	· head- 19,373 1)4
From the agent of the penitentia	ery,	16,175 56
Total amount received in Balance of the treasurer's accomplete the 10th November 1817, From which will be deducted, for ants reported to have been proposed for which the treasurer omitted the certificate of the commit examined his office, that the burnt or destroyed by them,	unt, on 58,304 (or war- aid, but dtaking tee who	
	Frand total,	\$238,150 69
Warrants reported by the treas paid,		en 201,509 99
In the treasury on the 10th Nov	ember 1818,	36,640 70

No. 2.

	No. 9				
amount dr paid and u	of warrants drawn b or ending the 10th A awn for each source onpaid.	Fovember 1818 of expenditu	; ire,	showing the amo	the
	ries of the officers of	the executive	de-		
partmen		《光》是这一篇《 题》		9.961	
Ditto	ditto	judiciary,		22,382	
Postage,	1000 PROMISE AND			.787	
Pensioners					00
Sergeant of	xecuted by order of of the court of appea	court,		1,570	
Printing,	n the court of appea	18,		403	
	officio services, stat	ionony for		2,473	
Contingen	t expences,	lunary, och		6,713	
Executive	offices			1,866	
Circuit cou				2,877	
Money ref	unded for tax twice	naid. &c		1,915 2,270	
Sheriffs co	mparing polls of ele	ction.			76
Military se	ervices.			743	
	rosecutions,			12,809	
The suppor	rt of lunatics.			8,645	
Repairs on	the governor's hous	se.		1,294	
Ditto, state	e-house,	A Section 19		3,200	
The Decen	nber session 1817 of	the legislatur	e,	24,617	
			- The state of the	104,599	35
Internal na	vigation,	38,133			
Bank stock		32,300 (00		
	s on vacant land,	2,520			
Loans to the	he penitentiary,	24,054	91		
Wannanta was	To the the bien			97,009	
warrants unj	paid on the 10th No	vember 1817,		352	47
Warrants pai	d by the treasurer i	n the year en	d-	201,960	88
ing on the	10th day of November	er 1818,		201,509	99

Warrants unpaid on the 10th of November 1818, 450 89 No. 3.

A statement of balances due the commonwealth on the 10th day of November 1818. Of the revenue collectable by sheriffs, there is

52 73

219 49

Of the revenue collectable by sheriffs, there is due for the year 1793, do. do. 1794,

do.	do.	1796,		2,566 20
do.	do.	1798,		101 36
do.	do.	1799,		217 25
do.	do.	1800,		172 26
do.	do.	1802,		31 99
do.	do.	1803,	to the greet of the Will	1,820 23
do.	do.	1806,		613 26
do.	do.	1807,		279 43
	do.	1809,		48 58
do.	do.	1811.		52 44
do.	do.	1812.		129 16
do.	do.	1814,		603 18
		MUSICIPATION OF THE PARTY OF TH		1,821 50
do.	do.	1815,		1.042 57
do.	do.	1816,		50 00
From sher	ins for ii	nes,		18,944 18
		ry for loans,		2,503 68
		on law proces		
John	Logan, to	ormer treasure	1,	2,965 84
			alance of dama-	27 221 26
ges	recover	ed against him	,	25,821 96
				20.022.20
		No. 4	Total,	60,056 79
of Nove the same For funds Do. Salarie	ember 181 e day is s appropri do. s of office ts overpa	8. for which to ubject to the posated for interm Bankers,	al navigation,	1,867 00 4,447 77 1,644 99
			Total,	8,479 67
For the a tive The sa Ditto of The ea cleri	the year of moual sal department of the circle of the atto or officions as for copies of the circle of the atto of the atto or officions as for copies of the circle of the atto of the atto of the circle of the atto of the circle of the atto of the circle of the circle of the atto of the atto of the circle of the atto of th	to end on the 10 aries of the of ent, the judges of touit judges, rney-general a ervices of cler.		vernment, for 319. tecu- 7,900 eals, 4,500 14,400 enies, 5,200 on to

THE RESERVE AND THE PROPERTY OF THE PERSON O	
Postage,	800
Pensioners,	60
Printing,	2,500
Sergeant of the court of appeals, Record books, fuel, stationary, &c. for the offices	500
of the executive department. The daily attendance of jailers on the circuit	2,000
courts, and for furnishing fuel, &c.	2,000
Sheriffs comparing polls of elections,	800
The sum required for the support of lunatics, is annually increasing; the expences of the last year exceed that of the preceding \$2,400; acting upon the supposition that there will be a corresponding increase for the ensuing year,	9 - 1
it will require for their support not less than Compensation for venire, witnesses, guards, sher- iffs, constables and jailers, in criminal prosecu-	10,000
tions,	11,000
Military services,	1,000
Negroes executed, average near	2,000
Monies refunded for tax twice paid, &c.	1,500
The December session 1818 of the legislature,	25,000
Contingent expences,	5,000
Internal navigation,	40,000
No. 6.	143,140
A statement of the probable receipts in the year to end 10th day of November 1819, subject to the ordinary ditures of government. The gross amount of revenue collectable by sheriffs for the year 1817, and payable on the first Monday in December 1818, is The probable defalcation, taking that of the preceding year as a guide, will be— For insolvencies, Sums which will be paid by sheriffs, un-	l on the expen-
der the act giving compensation for killing wolves, 1,700	
Commission for collection, 4,900	11 100
	11,100
Nett amount,	58,533

Of which there was paid, previous to the 10th of November 1818, to the treasurer, 2,178 Add to this, for the defaults of sheriffs, from whom there may not be coerced in the ensuing year, 2,000	
ing year,	4,178
The amount which may be certainly calculated on being received, will be The amount which may be certainly calculated on	54,855
being received for tax on non-residents' land, will be For the balances due from sheriffs, as detailed in statement No. 3, judgments have been obtained and executions issued; those balances due for the years 1812, 1814, 1815 and 1816, will be paid to	5,500
the amount of	3,500
	63,355
For the previous year no calculation can be made. Of the balances due from clerks, \$1,900 is from one debtor; it may be eventually collected; for the ensuing year, however, there is not expected from	
this source more than For the balance due from John Logan, former treasurer, a suit, as directed by law, is pending; for that against John P. Thomas, execution has for the present been suspended. It is expected the legislature will be asked for a remission of the damages; if not granted, its collection will be attempted. Both will be involved in too much uncertainty, to expect any increase of revenue for the ensu-	500
ing year. From clerks for tax on law process, and the register for fees of office,	9,000
For tax on stock owned by individuals in the Bank of Kentucky, For dividends on 5570 shares of stock in the Bank of	6,000
Kentucky, say at 8 per cent.	44,560
The balance in the treasury on the 10th of November 1818, subject to the ordinary expenditures of	123,415

A PROPERTY OF THE

government, after deducting the amount of statement No. 4, is

28,161

Total,

151,576 From this deduct the probable expenditures, (No. 5) 143.140

There will be in the treasury, on the 10th day of November 1819,

Independent of those sums which may be received for tax imposed on independent banks, and branches of the United States' bank.

For the recovery of the tax imposed on the U.S. branch banks, the attorney-general has instituted the several suits required by law. The nominal capital of such of the independent banks as are believed to have gone into operation, amounts to \$7,770,000, of which it is supposed not more than two-fifths have been paid, amounting to \$ 3,108,000 of actual capital; on that amount there will be due, on the 1st, January 1819, a tax of \$15,540; which, if collected, will make the balance in the treasury on the 10th day of November 1819, \$ 23,976.

No. 7.

A statement of the situation of the Penitentiary.

MANUFACTURES.

From the 1st day of October 1817, to the 30th day of September 1818, the receipts of the agent to the keeper, for articles manufactured in that period, amount to

30,065 40

The agent is charged, in the same period, for the advance price of articles retailed,

175.22

Total.

30,240 62

The agent is credited, for the prices of articles reduced by order of the keeper, the sum of

697 00

The keeper consumed, in the several manufactories, raw materials to the amount of 19,979 95

20,676 95

Gross profits on the articles manufactured.

The expences of the institution, in the same period, are, for fuel. Clothing, Diet, Guards, Contingencies, 904 58	
The agent and keeper's salaries and commission, and the pay of an assistant keeper, 2,992 28	9,086 74
Nett profits,	\$476 93
THE KEEPER. There was due to him on the first of Oct. 1817, He has, from that period to the 30th day of Sept.	11,757 08
1818, paid for expences as enumerated in the manufacturing account. For debts due to individuals.	6,094 46 17 18
For raw materials, including \$10,000 paid for rolled iron, at \$255 per ton,	15,002 54
Total,	32,871 26
In the same period he received warrants on the treasurer for these objects, to the amount of	22,757 08
Due to him on the 30th Sept. 1818,	10,114 18
Oct. 1st, 1817, was due to government for loans, Received by the keeper as above stated. Received by the keeper and agent, in part of their	9.911 13 22,757 08
compensation,	2,106 70
Paid by the agent to the treasurer, in the year ending the 30th September 1818—	34,774 91
For costs. 99 67 Interest, 29 80 Debts, 12,838 90 Sales, 4,456 19	17,424 56

[57]

RAW MATERIALS.

October 1st, 1817, on hand,	11,530	76
Purchased in the year ending the 30th Sept. 1818,	15.002	54
	1000000	
	26,533	30
Consumed in the same period,	19,979	
October 1st, 1818, on hand,	6,553	35
Consisting of—		
Shoe leather, to the amount of	92	00
Paints, oil and timber for chairs, to the amount of	367	10
Stones for tombs, slabs, &c.	413	
18 tons of rolled iron, estimated at (including the		
expences of transportation) \$ 250 per ton.	4,500	00
4304 lbs. of nail rods, steel, iron, and various		
other articles, to the amount of	1,181	95
	1,101	~3
	6,553	35
SALES.		
Sold on a credit,	19,352	83
For cash,	4,456	19
Total,	23,809	02
THE AGENT.		
Oct. 1st, 1817, in his hands, manufactured articles,	15,105	72
Debts,	25,112	66
From the above period to the 59th Sept. 1818,		
he has been charged with—		
Manufactured articles received of the keeper,	30,065	40
Interest received,	29	
Costs received,	99	
Advance prices on articles retailed,	175	
A CAPACIAL TO THE TOTAL AND A SALE OF THE LABOR.		
Total,	70,588	47
He is credited by—		
Prices on articles reduced, 697 00		
Costs paid, 79 90		
Errors in the keeper's list of debts due, 136 49		
Monies paid the treasurer, as mention-		
ed in the "loans" account, 17,424 56		
	18,337	75
Due,	52,250	52
Of which \$ 31,410 20 are debts, and \$ 20,84	0 32 a	re
manufactured articles On the list of debte is a		

manufactured articles. On the list of debts, is a charge of \$4017, for articles furnished government, and debts noted H

of the manufactured articles, consist of nails, mostly cut, at. 15, 16, 17 and 18 cents per pound.

The general account of the institution will be-

CREDITS.

By debts due,	31,410 20
Manufactured articles,	20,840 32
Raw materials,	6,553 35
And the state of t	58,803 87

DEBITS.

Due for loans,	17,350 35
The keeper,	10.114 18
Ditto and agent for comper	nsation. 885 58
Ditto and agent for comper	28,350 11

Nominal worth on the first day of Oct. 1818, 30,453 76 AUDITOR'S OFFICE, Dec. 11th, 1818.

The foregoing statements, Nos. 1 to 7, are submitted to the house of representatives.

J. MADISON, And.
Ordered, That Mr. Pope be discharged from, and Mr. M.
Millan be added to the joint committee appointed to examine into and report upon the state of the bank of Kentucky and its branches, and to inquire into the causes of the late suspension of specie payments by that institution.

The petition of Patsy Laurence, representing that her latehusband James Laurence died possessed of two hundred acres of head-right land in Pulaski county, on which a part of the state price remains unpaid, leaving her with three children in extreme poverty, and praying a remission of the balance of the state price due, and that a grant may issue to her and her children for said land.

The petition of sundry citizens of Pulaski county, praying that a law may pass granting to Nancy Godley fifty acres of vacant land in said county on which she is settled.

The petition of George Shipley, representing that he erected a grist-mill on Big Barren river under the authority of the county court of Barren according to the laws of this commonwealth previous to the passage of the act for the improvement of internal navigation, and praying that a law may be passed providing a just compensation for him before his said dam shall be removed.

The petition of Margaret Martin, representing that her late husband John Martin, died possessed of two hundred and

devised to her during her life, and at her death to his sons, John, Francis and Charles, who are infants, that said land cannot be divided so as to make suitable settlements for each of said sons; and praying that a law may pass authorising the sale of said land, and an investiture of the money in oth-

er lands in the Missouri Territory.

The petition of Daniel Brewer, representing that he owns a tract of land in Mercer county binding on both sides of Salt river, on which there is a valuable mill-seat; that he is anxious to erect a dam and build a mill, which would be of great public utility; but that the title to the bed of the stream is in the heirs of M'Coun, and praying that a law may pass authorising the condemnation of so much of the bed of the river, as will be sufficient for that purpose, upon his paying an equivalent therefor.

Were severally received, read and referred, the first and second to a select committee of messrs. Dollerhide, Allen, Jones and Prather, with leave to report thereon by bill or otherwise; the third to the committee to whom was referred so much of the lieutenant-governor's message as relates to internal navigation; the fourth to the committee for courts of justice; and the fifth to the committee of propositions and

grievances.

Mr. Pope from the committee for courts of justice reported as unfinished business of last session the following bills:

1. A bill for the benefit of Daniel A. Brewer; and 2. A bill for the benefit of Thomas Bonnell; which were severally received and read a first time and ordered to be read a second time.

And thereupon the rule of the house and second reading of the first bill being dispensed with, the same was referred to the committee of propositions and grievances.

A message from the senate by Mr. Wickliff:

Mr. Speaker,

The senate have adopted a resolution for appointing a joint committee to examine the accounts of the commissioners appointed under the act for the improvement of internal navigation; in which they request the concurrence of this house.

And then he withdrew.

Mr. Underwood presented the reports of two of the commissioners of the Cumberland river, appointed under an act of the last session of the general assembly entitled "an act for the improvement of internal navigation;" which were read as follows, viz.

Gentlemen of the Senate,

and House of Representatives,

As commissioner for the Cumberland river, under an act for the improvement of internal navigation, approved January 28, 1818, it is made the duty of said commissioner to make report to the legislature of the improvements made, and those

still necessary to be made, if any.

It has been agreed by the board of commissioners for this river, for me to act on the lower part of the river below the Tennessee line, and report the same. This became necessary from the great distance between us, which is at least 200 miles. For this purpose I have received the sum of \$1333-34. After reviewing the river from the Tennessee state line down to the mouth of the same, I found there were no material obstructions which could be removed with the sum in my hands. I found a few logs and snags, but they were so few as not to impede navigation—there is about eight or ten shoals in the river—nothing could be done with these—some of them rocky, others sandy bottoms. To effect any good, it would take an immense sum of money. Those which are rocky, would have to be blown and deepened; the sandy shoals of the river would have to be confined to one place.

Some of those shoals are from one to one and a half miles long, not any of them but is one half mile. There is never more than three months in the year that those shoals are in the way; and some years deep enough all the year for boats

of common burthen, such as keels, &c.

Under all these considerations, I am very clear of opinion that the benefits arising to the state would not half pay the expences. The principal benefits would be to the state of Tennessee; and until they would meet us with a similar law to clear out the obstructions above, it would not be advantageous to the state to do any thing to this part of the river. If you in your wisdom should coincide with me in this opinion, there is in my hands about twelve hundred and sixty-five dollars, which is unappropriated, and will at all times be subject to your order.

I have only expended the sum of sixty-seven dollars and fifty cents, which will more fully appear by my account which

is filed in the auditor's office.

Your obedient servant,

JOSEPH R. GIVEN.

To the Kentucky Legislature.

Pursuant to an act of the legislature of Kentucky, approved January 28th 1818, entitled " an act for the improvement

of internal navigation," the undersigned, being one of the commissioners appointed for Cumberland river, begs leave to submit the following report on his part-first premising that only two of the commissioners appointed for the Cumberland river have met on the upper part of the said river and acted, to wit: himself and Samuel Newell. That according to arrangements made between said Newell and the undersigned, they divided said river above the Tennessee state line into two parts, the undersigned taking the lower part. beginning at Higgins' island in Cumberland county, and superintended the improvement of the navigation of said river from thence to where the Tennessee state line crosses said river, near Martin's ferry, being a distance of about eighty miles. The undersigned drew as his portion of the appropriation for the aforesaid river, the sum of \$1333 1-8, which he expended, as he believes, in the most advantageous manner he could for the improvement of the navigation of said river. He states, that himself and the said Samuel Newell commenced at the long shoals of Cumberland river, in the county of Pulaski; that being as high up the river as they thought it advisable to ascend, the shoals in that place rendering it almost impracticable to ascend higher with boats, or to pass them in descending. They, therefore, made this the place of beginning. They descended the river in conjunction to the said line of Tennessee, viewing it minutely and critically, noting down each obstruction, and where practicable to be removed, they made a calculation of the probable expence it would take to remove the same. The total result of their estimate, from the aforesaid shoals to the Tennessee line, being 157 miles, they made \$18,375, for which sum they were of opinion every obstacle to the safe navigation of said river the distance aforesaid, could be removed, which would be prudent to attempt removing. The undersigned and said Newell then agreed upon a division, and with the sum of \$1,333 1-3 the undersigned proceeded with his part. He considered the sum appropriated as altogether inadequate to complete the removal of obstructions fully; and therefore thought it most advisable to remove the most prominent, and such as would most obviously impede navigation; and that he should extend his labor the whole extent of the part allotted to him. He therefore cut away all bending trees near the bank, also all timber down to low water mark; he cut in short lengths the trees drifted up at the bends of the river, and at islands, in such manner as to leesen the raft, and render the drifts in a situation to be floated off; he cut down the

sawyers and planters, (so called by river navigators) to low water mark. In executing the above, the undersigned presumes he has much aided the navigation of the river within his boundary, and has had as much labor done for the sum expended as could possibly have been expected. The undersigned states that much remains yet to be done in his part of said river, as before designated before it will be complete; there will be rocks to blow which now project up to some height. against which boats frequently stave, or are in danger; there are logs and roots to raise and remove which are now fast in sand and mud, which if removed, would render the navigation much more safe. The undersigned, from his first estimate, and also including the mouths of two water courses, the one Crocus and the other Marrowbone, the former to the extent of five miles, and the latter two miles-which could be greatly improved, and down which boats frequently descend into the Cumberland river-is of opinion that the further sum of \$ 8,433 could be advantageously appropriated; and for which sum, he thinks all could be done for the improvement of navigation which would be practicable to attempt.

All of which he respectfully submits to the honorable legislature of Kentucky.

JOHN PAUL, One of the Commissioners of Cumberland River.

Ordered, That the said reports be referred to the committee to whom was referred so much of the lieutenant-governor's message as relates to that subject.

The following bills were reported from the several commit-

tees appointed to prepare and bring in the same.

By Mr. Haynes—1. A bill supplemental to an act passed on the 15th December, 1817, for the benefit of the widow and heirs of Thomas Clark.

By Mr. M'Closky-2. A bill erecting an election precinct

in Nelson county.

By Mr. Harrison—3. A bill to alter the time of meeting of the general assembly of the commonwealth of Kentucky.

And by Mr. Duncan (of Daviess)—i. A bill to repeal an act concerning certain trespasses on land.

Which were severally received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house and the second reading of the fourth bill being dispensed with, the said bill was committed to a select committee of Messrs. Chew, Duncan

(of Daviess,) Green, B. Johnson, Ward, Hanson and Lock-ett.

Mr. Lackey from the committee to whom was referred a bill to open a road from Mountsterling to the Virginia line by way of Prestonsburg, and for other purposes, reported the same with an amendment; which being twice read was concurred in.

Ordered, That the said bill be engrossed, as amended, and read a third time on Monday next.

A message from the senate by Mr. Owens:

Mr. Speaker,

The senate have passed an act further to regulate the debt due the commonwealth for the sale of vacant land; in which they request the concurrence of this house.

And then he withdrew.

The said bill was then taken up, read the first time, and ordered to be read a second time.

Mr. Barr read and laid on the table the following resolution, to wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That one room in the state-house, be, and is hereby appropriated to the use of the secretary of the senate and clerk of the house of representatives.

Resolved, That said secretary and clerk be authorised to procure such presses and office furniture as may be necessary for said room, and for the proper discharge of the duties of their respective offices.

Engrossed bills of the following titles:

1. An act for the benefit of Charles C. Carson; 2. An act establishing the town of Maxville, in Washington county; and 3. An act to provide for furnishing the circuit courts with a copy of the statute laws; were severally read the third time.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That Mr. Smith carry the first; Mr. Booker the second; and Mr. J. Taylor the third bills to the senate, and request their concurrence.

. The following bills were severally read a second time, viz.

1. A bill to extend the line of Ohio county; 2. A bill authorising a lattery for the purpose of improving the main street in the town of Flemingsburg; 3. A bill for the benefit of the register of the land office; and 4. A bill to extend the

term of the Christian circuit court, and to alter the time of

holding the Logan circuit court.

The first and fourth bills were severally ordered to be engressed and read a third time on Monday next; the third was laid on the table; and the question being taken on engressing the second bill and reading it a third time, it passed in the negative, and so said bill was rejected.

Leave was given to bring in the following bills :

On the motion of Mr. Pope—1. A bill to amend the several acts regulating proceedings in suits at law, and in chancery.

And on the motion of Mr. Forrest-2. A bill to amend the

several acts concerning surveyors of roads.

Messrs. Pope, Hauson, J. Logan, Crittenden, Coburn and Underwood, were appointed a committee to prepare and bring in the former; and Messrs. Forrest, Kennedy, Barnett, Dollerhide and Booker, the latter.

A message from the senate by Mr. Crutcher:

Mr. Speaker,

The senate have adopted a resolution fixing on a day on which to elect a senator in congress for the next senatorial term; in which they request she concurrence of this house.

And then he withdrew.

And then the house adjourned.

MONDAY, DECEMBER 13, 1818.

Mr. John Mercer, a member returned to serve in this house from the county of Caldwell, appeared, produced a certificate of his election, and of his having taken the several oaths prescribed by the constitution and laws of this commonwealth, and took his seat.

The Speaker laid before the house a letter from a committee of the frustees of the Transylvania University, which

was read as follows, viz.

LEXINGTON, Dec. 8th, 1818.

Sin—Through you the trustees of the Transylvania University wish to communicate to the members of the house of representatives of Kentucky, that on Saturday the 19th inst. the inauguration of the president and professors of the col-

lege will take place, when the trustees will be gratified to see such of the members as can make it convenient to attend.

With sentiments of great respect, we are,

JOHN T. MASON, LEWIS SANDERS, CHs. HUMPHREYS,

The Honorable Joseph C. Breckenridge,

Speaker of the House of Representatives.

The petition of sundry citizens of Ohio and Daviess counties, praying that a law may pass, authorising the erection

of mills on Rough creek, in Ohio county.

The petition of Edward Macey of Allen county, representing that he owns 200 acres of land in said county, which has been regularly surveyed and carried into grant; but that it has been since discovered that a mistake was made by the surveyor in his certificate of survey, which also exists in the grant; and praying that a law may pass authorising the register of the land office to correct said mistake, cancel the patent, and issue a new one.

And the petition of the widow and heirs of William Duncan, deceased, of Fleming county; representing that the said Duncan at the time of his death, owned a small tract of land lying on Johnson's fork, on which he erected a mill, which is unfinished, unprofitable, and rapidly going to decay; and praying that a law may pass authorising the sale of said

land.

Were severally received, read and referred; the first to the committee of propositions and grievances; the second to a select committee of Messrs. Jones, Harrison and Breathitt; giving said committee leave to report by bill or otherwise; and the third to the committee of courts of justice.

The house took up a resolution from the senate, fixing on a day, on which to elect a senator in the congress of the United States for the next senatorial term; which was twice

read and concurred in as follows, viz.

IN SENATE, December 12, 1818.

Resolved by the senate and house of representatives of the commonwealth of Kentucky, That they will proceed on Thursday the seventeenth inst. to the election of a senator in congress for six years, commencing on the fourth of March next.

Ordered, That Mr. M'Millan inform the senate thereof.

On the motion of Mr. Dollerhide.

Ordered, That leave be given to bring in a bill to extend and continue in force an act approved February 3, 1818,

further to indulge the settlers on the lands acquired by the treaty of Tellico to pay the state price on their claims; and that Messrs. Dollerhide, Berry, Prather, Smith and Parsons, be appointed a committee to prepare and bring in the same.

Engrossed bills of the following titles:

1. An act further to regulate the payment of the debt due the commonwealth for the sale of vacant lands; 2. An act to open a road from Mountsterling to the Virginia line by way of Prestonsburg, and for other purposes; 3. An act to extend the line of Ohio county; and 4. An act to extend the terms of the Christian circuit court, and to alter the time of holding the Logan circuit court.

Were severally read a third time, and an amendment (by

engrossed ryder) made to the latter bill.

Resolved, That the second, third and fourth bills do pass; that the titles of the second and third be as aforesaid, and that of the fourth be amended by adding thereto "and for other purposes."

Ordered, That Mr. Lackey carry the second; Mr. J. Johnston the third; and Mr. Breathitt the fourth bills to

the senate, and request their concurrence.

Ordered, That the first bill be laid on the table.

Mr. Henry Rennick, a member returned to serve in this house from the county of Barren, appeared, produced a certificate of his election, and of his having taken the oaths prescribed by the constitution and laws of this commonwealth, and took his seat.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By Mr. Duncan (of Lincoln)—1. A bill for the benefit of Daniel and Anthony Owsley.

By Mr. Chew-2. A bill to alter the mode of laying county levy.

Which bills were severally received, and read the first time, and ordered to be read a second time.

A message from the senate by Mr. Lee their secretary:

Mr. Speaker,

The senate have adopted a resolution authorising the auditor to employ additional counsel to prosecute suits against the officers of the United States' Bank; in which they request the concurrence of this house.

And then he withdrew.

A bill from the senate entitled "an act further to regulate the payment of the debt due the commonwealth for the sale of vacant lands."

Was read a second time, and ordered to be read a third time to-morrow.

The following bills were severally read a second time, viz.

1. A bill for the benefit of Thomas Bønnell; 2. A bill supplemental to an act passed on the 15th December, 1817, for the benefit of the widow and heirs of Thomas Clarke; 3. A bill erecting an election precinct in Nelson county; and 4. A bill to alter the time of meeting of the general assembly of the commonwealth of Kentucky.

The first and second bills were ordered to be engrossed and read a third time to-morrow; the third was committed to a select committee of Messrs. Beall, Harrison and M'Closky; and the question being taken on engrossing the fourth bill and reading it a third time, it passed in the negative, and so the said bill was rejected.

A message from the lieutenant-governor by Mr. Wag-

Mr. Speaker,

The lieutenant-governor did on the 11th instant, approve and sign an enrolled bill, which originated in this house, entitled "an act to authorise the editors of certain newspapers to insert certain advertisements."

And then he withdrew.

Ordered, That Mr. Barrinform the senate thereof.

The house took up a resolution from the senate for appointing a joint committee to examine the accounts of the commissioners appointed under the act for the improvement of internal navigation; which was twice read and concurred in as follows, viz.

IN SENATE, December 12, 1818.

Resolved by the general assembly of the commonwealth of Kentucky, I hat a committee of five members from the senate and ten from the house of representatives, be appointed to take into consideration the reports, and to examine the accounts of the commissioners appointed by the legislature conformably to the act for the improvement of internal navigation, and to report thereon.

Att. WILLIS A. LEE, C. S.

Ordered, That Messrs. Beall, Dallam, Howard, Worthington, Hickman, T. Ward, Wickliffe, Baker, Givens and

Berry, be appointed a committee on the part of this house pursuant to said resolution.

And that Mr. Sharp inform the senate thereof.

The house took up a resolution from the senate authorising the auditor to employ additional counsel to prosecute suits against the officers of the United States' Banks; which was twice read and concurred in as follows:

IN SENATE. December 12, 1818.

Resolved by the General Assembly of the Commonwealth of Kentucky, That the auditor of public accounts be, and he is hereby authorised to employ at public expence, an additional counsellor or attorney to assist the attorney-general in the prosecution of such suit or suits, as have been, or may be necessary to prosecute against the officers of the branch banks of the United States located in this state; provided not more than the sum of two hundred dollars shall be given as a compensation to such counsellor or attorney.

Extract, &c .- Att.

WILLIS A. LEE, C. S.

Ordered, That Mr Sharp inform the senate thereof.

Leave was given to bring in the following bills:

On the motion of Mr. M'Millan—1. A bill respecting the appointment of commonwealth's attornies to the several judicial districts in this commonwealth.

On the motion of Mr. Turner-2. A bill for the relief of

those who conscientiously scruple to bear arms.

And on the motion of Mr. Chew—3. A bill to extend the navigation of Rough creek up to the mouth of Big Clifty, in Breckenridge and Grayson counties and Chapline's fork of

Salt river to Kenzie's mill in Washington county.

Messrs. M'Millan, Hanson, Knight, Underwood and Booker, were appointed a committee to prepare and bring in the first; Messrs. Turner, Sharp, Dallam and Caldwell, the second; and Messrs Chew, Booker, Cunningham, Robinson, Forrest and Underwood, the third.

And then the house adjourned.

TUESDAY, DECEMBER 15, 1818.

Mr. T. Ward from the select committee to whom was referred a bill for the relief of Tignal Warmack, a citizen of Greenup county, reported the same with an amendment; which being twice read, was concurred in.

Ordered, That the said bill as amended, be engrossed and

read a third time to-morrow.

The Speaker laid before the house a letter from the treasurer of this commonwealth, inclosing his annual report of the situation of his office; which was then taken up, and read as follows, viz.

Treasury Office, Dec. 14, 1818.

Sir—You will please to lay before the honorable house ever which you preside, this statement, which gives a concise view of the situation of the treasury department, since it has been under my control. To give a complete statement of the whole year, would have been agreeable to myself, and satisfactory to the legislature; but to my surprize, I have found no document filed in this office, which exhibits the real situation of the treasury—no balance having been struck in any one year, by my predecessors in office. From this cir-

cumstance, I have to confine this report to that portion of the year between the 30th of January last and the 10th of Octo-

ber 1818, both days inclusive.

I have the honor to be,

Very respectfully.

Your obedient humble servant.

SAMUEL SOUTH, TR.

The honorable Joseph C. Breckenridge.

A general view of the receipts and payments at the treasury, from January 30th to November 10th, inclusive, together with the amount in the treasury on the former date.

RECEIPTS.

To cash	in the treasury on the soth day of January	11-	
ary 1	818,	\$ 58,453	16
Receive	d of sheriffs since 30th January,	4,443	
Do.	Clerks of courts,	2.000	
Do.	Green river settlers,	7,629	2000000
	Vacant land, &c.	12,958	
Do.	Tellico land,		60
Do.	Sergeant court of appeals,	894	
Do.	Dividend bank stock, 1st Jan. last,	23,457	
Do.	do. do. 1st July,	21,699	
Do.	Secretary of state,		90
Do.	Penitentiary,	13.755	
Do.	Non-residents,	4,939	
Do.	Register of the land-office,	1,054	
Do.	Miscellaneous,	64	
Do.	Late treasurer,	27,893	200

This statement exhibits the amount paid for warrants drawn on the treasury, from the 30th of January last to the 10th of November 1818, inclusive.

November 1818, inclusive.		
For salaries of the officers of the executiv	e de-	
partment,	\$ 6,410	68
Bank stock subscribed,	21,525	05
Penitentiary,	10,046	62
Legislature,	20,494	48
Criminal prosecutions,	6,190	46
Negroes executed,	970-	00
Pensioners,	30	00
Judiciary,	16,783	67
Contingent expences,	1,230	32
Internal improvement,	38,133	00
Clerks of courts ex officio services,	1,274	70
Commissioners of state-house,	3,200	00
Executive officers,	2,402	61
Sergeant court of appeals,	215	70
Government house,	1,294	80
Public printing,	2,473	35
Public communications,	705	43
Military expenditure,	289	73
Monies refunded,	208	48
Redemption non-residents' land,	1,107	46
Sheriffs comparing polls,	37	76
Circuit court jailers,	1,185	54
Lunatics,	5,827	02
	\$ 142,036	86
Aggregate amount of receipts, the sum of	178,677	56
Do. payments, same time,	142,036	86

Do. cash in the treasury on the 10th Nov. 1818, \$36,640 70

Deduct from the receipts the amount in the treasury on the 30th of January 1818, and it will leave the actual amount paid into the treasury during the above mentioned period, the sum of 120,224 40 From this amount deduct the sum paid by the late treasurer, 27,393 76

And the residue will be the actual amount of ordinary revenue which has been received at the treasury, between the 30th of January last and the 10th November 1818, the sum of \$92,830 44

The aggregate amount of money paid into the treasury on account of bank dividend, between the 30th January last and the 10th of November 1818.

Of this sum there was appropriated for internal improvements, by an act approved December session 1817, the sum of

40,000 00

45,157 47

Leaving a surplus of revenue derived from bank stock, subject to the ordinary expenditures of government, the sum of \$5,157 47

The whole amount appropriated for internal improvements, has been drawn from the treasury, except a portion of the sum assigned to the

Kentucky river, \$ 1,867 00 Of the several important duties assigned to this department, in addition to its fiscal concerns, the following seems more particularly to deserve attention: By the 13th section of the act approved January 26th, 1818, to incorporate sundry independent banks, it is made the duty of the treasurer to receive annually from the president and directors of each of the banks incorporated by that act, which should go into operation, one half per cent, on the stock subscribed and paid for. Due attention has been paid to this subject; and I am happy to state, that so far as I have had it in my power to correspond with the directors of the several banks on the subject, the anticipation and wishes of the legislature will be universally and promptly complied with. Some difference of opinion has arisen with regard to the time when this tax becomes due.

I have found some difficulty in paying off warrants drawn on the treasury, on account of the various kinds of paper in circulation as money; for every holder of a warrant is naturally desirous to be paid in the medium of the highest current value. Under these circumstances, it is to be expected that individuals will be disappointed, and express some dissatisfaction; but it has been the constant and vigilant endeavor of this department, to perform this arduous duty with a steady eye, not only to the public good, but to the interest of each individual citizen.

· SAMUEL SOUTH, TR.

Treasury Department, December 14th, 1818.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By Mr. M'Millan-1. A bill concerning commonwealth's

attornies.

By Mr. L. Green—2. A bill to amend an act entitled "an act to establish and regulate the town of Campbellsville, in Green county."

Which bills were severally received and read the first

time, and ordered to be read a second time.

A message from the senate by Mr. Owens:

Mr. Speaker,

The senate have passed bills of the following titles:

An act for the benefit of Daniel Trabue; an act to release the states claim to salt water, in certain cases; an act for the relief of Charles Willot, sen. and Patrick Gilmore; and an act for the relief of the administrators and heirs of John Stapp, deceased.

In which bills they request the concurrence of this house.

And then he withdrew.

The said bills were then taken up, read the first time, and

ordered to be read a second time.

A bill from the senate entitled "an act further to regulate the payment of the debt due the commonwealth for the sale of vacant lands," was read the third time.

And the question being taken on the passage thereof, it

passed in the affirmative.

The yeas and nays being required thereon by Messrs.

Howard and Dollerhide were as follows, viz.

Yeas—Mr. Speaker, Messrs, Allen, Baker, Barbour, Barr, Barrett, Beall, Berry, Booker, Breathitt, W. O. Buder, A. Butler, Chew, Crittenden, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Field, Forrest, Gaither, George, Grant, L. Green, J. Green, Givens, Hardin, Haynes, Hunter, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Jones, Knight, Lackey, Lee, Lockett, Love, J. Logan, B. Logan, Megowan, Mercer, M'Kee, M'-Closky, Miller, Morton, Mullens, Noland, O'Bannon, Parsons, Pope, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Stockton, Stratton, Z. Taylor, Thomas, Todd, Turner, Underwood, G. Wall, W. Wall, T. Ward, J. Ward, Wickliffe and Worthington—75.

Nays-Messrs. Barnett, Baylor, Caldwell, Carter, Chinn, Coombs, Hanson, Harrison. Hickman, Howard, Kennedy,

M'Millan, J. Taylor and Williams-14.

Ordered, That Mr. Jones inform the senate thereof.

Engrossed bills of the following titles:

1. An act for the benefit of Thomas Bonnell; and 2. An act supplemental to an act passed on the 15th December, 1817, for the benefit of the widow and heirs of Thomas Clarke.

Were severally read a third time.

Resolved. That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That Mr. Pope carry the first; and Mr. Haynes the second bills to the senate, and request their concurrence.

Mr. Barr from the joint committee of enrollments, reported that the committee had examined enrolled resolutions

of the following titles :

A resolution fixing on a day on which to elect a sefiator in congress for the next senatorial term. A resolution to encourage domestic manufactures. A resolution for appointing a joint committee to examine into, and report upon the state of the bank of Kentucky and its branches. A resolution authorising the anditor to employ additional counsel to prosecute suits against the officers of the United States' Branch Banks. And a resolution for appointing a joint committee to examine the accounts of the commissioners appointed under an act for the improvement of internal navigation: and had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto. Ordered, That Mr. Barr inform the senate thereof.

A message from the senate by Mr. Johnson:

Mr. Speaker,

The senate have passed a bill which originated in this louse, entitled " an act for the benefit of part of the children of William Sthreshley, deceased.

And then he withdrew.

The following bills were severally read a second time, viz.

1. A bill for the benefit of Danjel and Anthony Owsley;

and 2. A bill to alter the mode of laying county levy.

The first was ordered to be engrossed and read a third time to-morrow; and the second was committed to a select committee of Messrs. J. Logan, Hardin, Chow, J. Taylor, Sharp and Smith.

Mr. J. Green from the select committee appointed for that purpose, reported a bill to incorporate the trustees of the College of Kentucky, at Danville; which was received, and read the first time, and ordered to be read a second time.

Leave was given to bring in the following bills:
On the motion of Mr. Hardin-1. A bill to incorporate

the broadway bridge company.

On the motion of Mr. Underwood—2. A bill to authorise the consolidation of the independent banks in this commonwealth; 3. A bill to amend the charter of the bank of Green river, and for other purposes.

And on the motion of Mr. T. Ward-4. A bill to regulate the fees of justices of the peace for this commonwealth.

Messrs. Hardin, Todd, Field, Ray, Caldwell, Barnett, M'Kee and Hanson, were appointed a committee to prepare and bring in the first; Messrs. Underwood, Sharp, A. Butler, Harrison, Pope, J. Logan, Hanson, Crittenden, Coburn and J. T. Johnson, the second; Messrs. Underwood, Rennick, Sharp, Dallam and Jones, the third; and Messrs. T. Ward, J. Taylor, Williams and Dollerhide, the fourth.

And then the house adjourned.

WEDNESDAY, DECEMBER, 16, 1818.

The petition of sundry citizens of Knox county, praying a new county may be formed therein, within the boundaries proposed in said petition.

And the petition of Milton Gray, praying that a law may pass to divorce him from his wife Betsey, late Betsey Mott,

for the reasons therein stated.

Were severally received, read, and referred; the former to the committee of propositions and grievances; and the latter to a select committee of Messrs. Hunter, Field, Crittenden and J. Logan, giving said committee leave to report thereon by hill or otherwise.

Mr. Hardin from the committee for courts of justice, made

the following report, viz.

The committee for courts of justice have according to order had under consideration sundry petitions to them referred, and have come to the following resolutions thereupon, to wit:

Resolved, That the petition of Thomas Sterrett, attorney in fact for the heirs of Adam Wood, deceased, representing that said Adam died seized of a tract of land in Bourbon county, which descended to his brothers and sisters, and their legal representatives, all of whom are residents of the state of Pennsylvania, and some of them infants; that those who are of age, together with the guardians of the infants, have

joined in a power of attorney authorising him to sell and convev the land; but he is advised that a sale under those circomstances would be illegal; and praying that a law may pass authorising him to sell and convey the land, is reasonable.

Resolved, That the petition of Walter Preston, guardian of the infant heirs of David Robinson, deceased, representing that the said Robinson (who resided in the state of Virginia at his death) died seized of a tract of land lying in the county of Shelby, in this state; that upon his application as guardian for said infant heirs, the said land has been sold under a decree of the Shelby circuit court, under the act of 1812, authorising the sale of the real estate of infants in certain cases; since which time doubts have arisen as to the legality of the sale; and praying that a law may be passed to legalize and confirm the sale, is reasonable.

Resolved, That the petition of Ann and Eleanor Moorland. and Elizabeth E. Delaney, representing that they are poor and widowed females, residing together on a piece of vacant land in Cumberland county, containing 150 acres, which they are unable to purchase; and praying that a donation of said

land may be made to them jointly, is reasonable.

Resolved, That the petition of Margaret Martin, representing that her late husband John Martin, died possessed of 2651 acres of land in Green county, which he devised to her during life, and at her death to three of his infant sons; that the land cannot be divided so as to make suitable settlements for each of them; and praying that a law may pass authorising the sale of the land and an investiture of the proceeds in other lands in the Missouri Territory, be rejected.

Resolved, That the petition of sundry citizens of Fleming county in behalf of the widow and heirs of William Duncan, dec'd, representing that said Duncan died possessed of 133 acres of land on Johnson's fork of Licking, and had nearly completed a merchant mill thereon; that the same is unprofitable to the widow and his heirs; praying that a law may be passed authorising the sale of said mill and land, be re-

jected.

Which being twice read was concurred in.

Ordered, That said committee prepare and bring in bills pursuant to the first, second and third resolutions.

Mr. Barr from the select committee appointed for that

purpose, made the following report :

The committee to whom was referred the petition of Stephen Trigg, relating to the contested election of Jesse Noland, a sitting member of this house, have had the same under consideration.

Whereupon they beg leave to report as follows, to wit: That the notice is defective and does not comport with the law regulating contested elections, inasmuch as there is no specific charge contained in said notice, agreeable to the provisions of an act approved December 21, 1799, requiring that the particular facts shall be stated upon which the contest is founded; and inasmuch as the aforesaid act declares that no other shall be afterwards alleged or admitted.

Therefore,

Resolved, As the opinion of your committee, that the whole of the proceedings in pursurace of said notice and con-

test, is illegal.

And your committee from the information of Stephen Trigg, and the testimony laid before them, submit to the consideration of the house, whether any further proceedings should be had thereon. All of which they respectfully submit.

And that your committee be discharged from any further

proceedings thereon.

Ordered. That the said report be referred to a committee of the whole house on the state of the commonwealth for this

day.

Mr. Chew from the joint committee of enrolments, reported that the committee did on yesterday deposit in the office of the secretary of state for the approbation and signature of the lieutenant-governor, a resolution for appointing a joint committee to examine the accounts of the commissioners appointed under an act for the improvement of internal navigation.

Mr. Hardin from the committee for courts of justice, reported as unfinished business of the last session, a bill for the benefit of the widow of Peter Bodine, deceased:

Which was received and read the first time, and ordered to

he read a second time.

The house then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth; mr. Harrison in the chair.

Which being resumed by mr. Speaker, mr. Harrison reported that the committee had according to order had under consideration the report of the select committee to whom was referred the case of the contested election of the member returned from Estill county, and had gone through the

same, and adopted the following resolution as an amendment thereto, viz.

Resolved, That the select committee to whom was referred the petition of Stephen Trigg, contesting the election of Jesse Noland, who has been returned as a member of this house from the county of Estill, be discharged from the further consideration of said subject.

Which being twice read, was concurred in.

The said report as amended, was then adopted.

Mr. Sharp from the committee of propositions and griev-

ances, made the following report, viz.

The committee of propositions and grievances have according to order had under consideration the petitions of sundry citizens of Ohio and Daviess counties, praying that a law may pass authorising William and James Newton to build a mill on Rough creek, to them referred, and have come to the following resolution thereupon, to wit:

Resolved, That the said petition, is reasonable.

Which being twice read, was concurred in.

Ordered, That the said committee prepare and bring in a bill pursuant to said resolution.

And then the house adjourned.

THURSDAY, DECEMBER 17, 1818.

Mr. Thomas D. Owings, a member returned to serve in this house from the county of Bath, appeared, produced a certificate of his election, and of his having taken the oaths prescribed by the constitution of this commonwealth, and took his seat.

The petition of the Louisville Insurance Company, praying that a law may pass to increase the number of directors to that institution; and that a law may pass authorising the appointment of port wardens in Jefferson county, to inspect the condition of boats, &c.

The petition of sundry citizens of Morgantown, praying that a law may pass to repeal an act of the last session entitled "an act authorising the trustees of Morgantown to sell a part of the public ground in said town.

The petition of sundry citizens of Christian and Caldwell counties, praying that a new county may be formed out of a

part of each of said counties.

And the petition of sundry citizens of Christian county, praying that a new county may be formed out of the county of Christian, and counter to the preceding petition.

Were severally received, read and referred; the first to a select committee of messrs. Pope, Barbour, Harrison, J. Logan and Chew; the second to a select committee of messrs. Davis, A. Butler, L. Green and Morton, giving said committee leave to report thereon by bill or otherwise; and the third and fourth to the committee of propositions and grievances.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By mr. Jones-1. A bill for the benefit of Edward Ma-

cey.

By mr. Barrett-2. A bill for the benefit of Nathaniel Tucker.

By mr. Booker—3. A bill to provide for the revision of the statute laws of this commonwealth.

By mr. Pope-4. A bill to amend an act entitled " an act

to incorporate the Louisville Insurance Company."

By mr. Dollerhide—5. A bill further to indulge the settlers on the lands acquired by the treaty of Tellico to pay the state price on their claims.

By mr. Dollerhide-6. A bill for the benefit of Nancy

Godby, Patsey Laurence, and others.

And by mr. Pope-7. A bill to alter the mode of taking in lists of taxable property.

Which bills were severally received, and read the first

time, and ordered to be read a second time.

And thereupon the rule of the house and second reading of the fourth bill being dispensed with, the same was ordered to be engrossed, and read a third time to-morrow.

Ordered, That the public printers print 150 copies of the

seventh bill for the use of the members of this house.

On the motion of mr. Smith,

Ordered, That leave be given to bring in a bill to extend and continue in force the law for returning platts and certificates into the register's office, and for surveying certain lands in this commonwealth, approved January the 4th, 1816; and that messrs. Smith, Dancan (of Lincoln) Underwood, Baylor and M Kee, be appointed a committee to prepare and bring in said bill.

A message from the senate by mr. Bledsoe:

Mr. Speaker,

I am directed by the senate to inform this house, that they are now ready (by a joint vote with this house) to proceed to the election of a senator to represent this state in the congress of the United States for the next senatorial term; and

that messrs. Richard M. Johnson and William Logan stand on the nomination before the senate for that office.

And then he withdrew.

Mr. M'Kee thereupon nominated mr. William Logan, and mr. Baylor nominated mr. Richard M. Johnson, as proper persons to fill the office of senator in congress for the next senatorial term.

Ordered. That mr. M'Kee inform the senate of said nominations, and that this house is now ready by a joint vote with the senate to proceed to the said election.

The house then proceeded to said election, and upon taking

the vote, it stood thus:

For mr. Richard M. Johnson—Mr. Speaker, messrs. Baker, Barbour, Barr, Baylor, W. O. Butler, A. Butler, Carter, Chew, Chinn, Coburn, Crittenden, Dallam, Davis, Benjamin Duncan (of Daviess) Field, Haynes, Hickman, Hunter, Jennings, James Johnston, J. T. Johnson, B. Johnson, Lackey, Love, Megowan, Morton, Mullens, Owings, Parsons, Ray, Stockton, Stratton, J. Taylor, Thomas, Todd, Turner, G. Wall, W. Wall, T. Ward, J. Ward, Williams and Worthington—43.

For mr. William Logan—Messrs. Allen, Barnett, Barrett, Beall, Berry, Booker, Breathitt, Caldwell, Coombs, Cunningham, Dollerhide, Duncan (of Lincoln) Forrest, Gaither, George, Grant, L. Green, J. Green, Givens, Hanson, Hardin, Harrison, Howard, Jones, Kennedy, Knight, Lee, Lockett, J. Logan, B. Logan, Mercer, M'Kee, M'Closky, M'Millan, Miller, Noland, O'Lannon, Pope, Phelps, Prather, Rennick, Robinson, Scott, Sharp, Smith, Z. Taylor, Underwood and Wickliffe—48.

Messrs. M'Kee and Baylor were then appointed a committee on the part of this house to meet such committee as shall be appointed on the part of the senate, compare the votes, and report in whose favor a majority should appear.

I he said committee then retired, and after a short time returned, when mr. M'Kee reported that the joint vote stood

thus:

1157-6-101-111-15-16

For mr. Richard M. Johnson, 55 For mr. William Logan, 67

Whereupon mr. William Logan having a majority of all the votes, was declared duly elected a senator to represent this state in the congress of the United States for the next senatorial term, from and after the 40 day of March next.

A message from the senate by mr. Mason :

Mr. Speaker,

The senate have passed a bill which originated in this house, entitled "an act to open a road from Mountsterling to the Virginia line by way of Prestonshurg, and for other purposes."

And then he withdrew.

A message from the senate by mr. Johnson : Mr. Speaker.

The senate have passed bills which originated in this house

of the following titles :

An act establishing the town of Maxville in Washington county; and an act for the benefit of Charles C. Carson, with an amendment to the latter.

And they have passed bills of the following titles:

An act to incorporate the Bowling-Green bridge company; and an act further to include the settlers on the lands acquired by the treaty of Tellico to pay the state price on their claims.

In which amendment and bills they request the concurrence of this house.

And then he withdrew.

Mr. Barr from the joint committee of enrolments, reported that the committee had examined an enrolled bill entitled "an act for the benefit of part of the children of William Sthreshley, deceased," and had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto. Ordered, That Mr. Barr inform the senate thereof.

Engrossed bills of the following titles:

1. An act for the relief of Tignal Wamack, a citizen of Greenup county; 2. An act for the benefit of Daniel and Anthony Owsley.

Were severally read a third time, and the blank in the

first filled.

Resolved, That the said bills do pass; that the fitle of the first be amended to read "an act to amend an act entitled an act to amend the several acts concerning the importation and emancipation of slaves." approved February 8, 1815; and that of the latter be as aforesaid.

Ordered, That mr. T. Ward carry the first; and mr. Duncan (of Lincoln) the second bills to the senate, and re-

quest their concurrence.

Ordered, That a bill for the benefit of the register of the land office be placed in the orders of the day.

The following bills were severally read a second time, viz.

1. A bill for the benefit of the register of the land office;

and 2. A bill concerning commonwealth's attornies.

The first was ordered to be engrossed and read a third time to morrow; and the second was committed to a select committee of messrs. Underwood, J. Logan, Baylor, W. Wall and J. T. Johnson.

And then the house adjourned.

FRIDAY, DECEMBER 18, 1818.

The petition of Alexis Tipton and others, of the county of Montgomery, representing that a murder was committed in said county during the present year, and that the petitioners expended considerable sums of money, and employed considerable time and labor to bring the murderers to justice; and that there is no provision by law, by which they can be paid; and praying legislative provision for their remuneration and payment.

The petition of sundry citizens of Hopkins county, praying that Tradewater river, in said county, may be declared navigable; and that provisions may be made by law for clearing out the obstructions to the navigation of said river; and that the same may be paid for out of the public treasury.

The petition of sundry citizens of Nelson county, counter to that presented at a former day of the session, praying for

an election precinct in said county.

The petition of John P. Thomas, late treasurer, representing that since the last session, he has paid into the public treasury the amount of his defalcation with costs; that a judgment has been obtained against him and his securities for double the amount due the commonwealth, as damages, which he considers oppressive, and praying that the same may be remitted.

And the petition of sundry citizens of Wayne county, praying that a law may pass authorising John Hale, a poor man, to survey and carry into grant 100 acres of vacant land on

which he is settled without paying the state price.

Were severally received, read, and referred; the first to the committee of claims; the second to the committee to whom was referred so much of the lieutenant-governor's message as relates to internal navigation; the third to the committee to whom was referred a bill for establishing an

election precinct in Nelson county; and messrs. Pope, Worthington and Todd, are added to said committee; the fourth to a select committee of messrs. Todd, Hardin and M'Kee; and the fifth to a select committee of messrs. Berry, J. Green, Howard and Dollerhide, giving said committees leave to report thereon by bills or otherwise.

Mr. Hardin from the committee for courts of justice reported a bill for the benefit of the heirs of Adam Woods, deceased: and a bill for the benefit of Ann Moorland, Nelly De-

laney and Elizabeth Ellison Delaney.

Which bills were severally received and read the first time, and ordered to be read a second time.

Leave was given to bring in the following bills:

On the motion of mr. Williams—1. A bill to amend an act entitled "an act authorising certain justices of the county courts to award injunctions, writs of ne exeat and habeas corpus.

On the motion of mr. J. Taylor-2. A bill for raising the

wages of the members of the legislature.

And on the motion of mr. J. Johnston—3. A bill to amend an act entitled "an act for the erection of a bridge across

Rough creek in Ohio county."

Messrs. Williams, Megowan, Breathitt, Baylor and J. Taylor, were appointed a committee to prepare and bring in the first; messrs. J. Taylor, W. Wall, Breathitt, Hardin and Coburn, the second; and messrs. J. Johnston, Chew, Cunningham and Duncan (of Daviess) the third.

Mr. Jones moved for leave to bring in a bill allowing

grand jurers pay in this commonwealth.

And the question being taken on granting leave to bring in said bill, it passed in the negative, and so the said motion was disagreed to.

Engrossed bills of the following titles:

1. An act to amend an act entitled " an act to incorporate the Louisville Insurance Company; and 2. An act for the benefit of the register of the land office.

Were severally read a third time,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That mr. Pope carry the first; and mr. Hardin the second bills to the senate, and request their concurrence.

The following bills were severally read a second time,

viz.

1. A bill to amend an act entitled " an act to establish and regulate the town of Campbellsville, in Green county;" 2. A

bill to incorporate the trustees of the college of Kentucky at Danville.

The first was ordered to be engrossed, and read a third time to-morrow; and the second (being amended at the clerk's table) was laid on the table.

Ordered, That the public printers forthwith print 150 copies of the latter bill for the use of the members of this house.

A message from the senate by mr. Churchill:

Mr. Speaker,

The senate have passed a bill which originated in this house, entitled "an act to amend an act to incorporate the Louisville Insurance Company."

And then he withdrew.

A message from the senate by mr. Given :

Mr. Speaker,

The senate have passed a bill which originated in this house, entitled "an act supplemental to an act passed on the 15th of December, 1817, for the benefit of the widow and heirs of Thomas Clarke, deceased."

And then he withdrew.

A message from the senate by mr. Lee their secretary :

Mr. Speaker,

The senate concur in the first and second, and disagree to the third and fourth amendments proposed by this house to the resolution from that, for appointing joint committees to examine the public offices.

They have passed bills which originated in this house of the

following titles:

An act for the benefit of the register of the land office; an act for the benefit of Thomas Bounell; and an act to provide for furnishing the circuit courts with copies of the statute laws, with an amendment to the latter bill: and they have passed a bill entitled "an act authorising the county court of Pulaski to make additions to the town of Somerset.

In which amendment and bill they request the concur-

rence of this house.

And then he withdrew.

The Speaker laid before the house a letter from William Logan, Esq. which was read as follows, viz.

The honorable the Speaker

of the House of Representatives,

SIR,

Chosen by the representatives of the people, to the senate of the Union, permit me through you to avail myself of the

earliest and most convenient opportunity, to discharge to the house over which you have the honor to preside, that debt of gratitude and sensibility, with which every feeling of my heart is so deeply impressed.

As a child of '76—born in a fort, and raised and educated principally amongst the first adventurers of a wilderness, the most I can promise, will be a scrupulous regard over the substantial rights and liberties of my country, rather than tasty

improvements in splendor and refinement.

To represent truly, in spirit and in deed, the will, the interest, and the feelings of our country, is the fervent prayer of my heart. And if in the course of events I shall unfortunately, to my great mortification, be unable to do so with the united effort of heart and mind, I will be ready, at the earliest opportunity consistent with immediate duty, to surrender up into the hands of my country the delegated trust. To act otherwise would be to save appearances only, against an inward and hidden resistance—would be like arguing against mind, and combatting without nerve—when to sustain the interest of the commonwealth, the intrinsic value of both will be so essential to combine.

Accept, I pray you sir, every assurance of respect for yourself, and for the representatives of my country.

WILLIAM LOGAN.

The house proceeded to reconsider their third and fourth amendments proposed to a resolution from the senate for appointing joint committees to examine the public offices.

Which being again twice read:

Resolved, That this house do adhere to the said amendments.

Ordered, That mr. Sharp inform the senate thereof.

A bill from the senate entitled "an act for the relief of the widow and heirs of John Stapp, deceased;" and a bill entitled an act for the relief of Charles Trillot, sen. and Patrick Gilmore."

Were severally read a second time.

The former was referred to the committee for courts of justice; and the latter to a select committee of messrs. Parsons, Smith and Frather.

On the motion of mr. Jones,

Ordered, That leave be given to bring in a bill to continue in force an act to suspend law process in certain cases; and that messrs, Jones, J. Green, Owings, Parsons and J. Taylor, be appointed a committee to prepare and bring in the same.

Mr. W. Wall read and laid on the table the following resulation, viz.

Resolved, That when we adjourn on Wednesday the 23d inst, we adjourn until Monday the 28th of the same.

And then the house adjourned.

SATURDAY, DECEMBER 19, 1818.

The memorial of sundry citizens of Knox county, remonstrating against being stricken off from the county of Knox, and included within the bounds of the proposed new county.

The petition of sundry citizens of the counties of Logan, Warren and Allen, praying that a new county may be form-

ed out of a part of each of said counties.

And the petition of sundry citizens of Hopkins county, praying that a law may pass, making a donation of 200 acres of vacant land in Caldwell county to William Demming, who is represented to be in indigent circumstances, and an object of charity.

Were severally received, read and referred; the first to the committee of propositions and grievances; the second (with the accompanying documents) to a select committee of messrs. A. Butler. Morton, Sharp, Turner and Jones; and the third to a select committee of messrs. Given, Lockett, J. Johnston and Mercer, giving said committees leave to report thereon by bill or otherwise.

A message from the senate by mr. Crutcher:

Mr. Speaker,

The senate have adopted the following resolutions, viz.

IN SENATE, December 19, 1818.

Resolutions on U. States Branch Banks.

The location of the branch banks of the U. States within this state, and the serious and embarrassing effects produced by the measures pursued by the directors of that institution at Philadelphia, are subjects which deserve the serious attention of the legislature of Kentucky. Whether it was wise and politic or constitutional for the congress of the U. States to erect such a powerful monied aristocracy with power to extend its baneful influence into every state or section of our country; and whether that corporation has not by some act inconsistent with the conditions of its charter, forfeited its privileges, are questions of great moment, and deserve notonly the consideration of the people of Kentucky, but the citizens of every other state and their representatives in the congress

of the United States. It was hoped by all, and asserted by the friends of the bank of the United States, that the location of its two branches in this state, would aid our commercial enterprize, particularly our trade up and down the Mississippi river; that it would tend to equalize the exchange, and afford us mercantile facilities, of which we were not possessed.

In all these things we have been disappointed, and experience proves that the operations of those institutions have greatly diminished the circulating medium, and embarrassed our state institutions. While the stock of our state bank, and other banks, is taxed for the support of government, the president and directors of the United States' Bank, deny the right or power of this commonwealth to impose a tax upon the stock held by citizens, non-residents and aliens, in that institution. Against this position, we as the representatives of the people of this state, protest.

We believe that the best interest and prosperity of our citizens, require the speedy withdrawal of those branches

from this state.

We also believe, that if the stockholders or the directors of the bank of the United States have by any act forfeited their charter, that it is expedient to repeal the same.

Wherefore.

Resolved by the senate and house of representatives of the commonwealth of Kentucky, That it is the wish, desire and interest of the people of this state, that the president & directors of the United States' Bank, recal their branches located in this state.

Resolved, That our senators be instructed, and our representatives in congress requested to take into consideration the expediency and constitutionality of repealing by law or otherwise, the charter of said bank.

Resolved, That the executive of this state be requested to forward to each of our senators and representatives in con-

gress, a copy of these resolutions.

Resolved, That he forward to the president and directors of the Bank of the United States, a copy of these resolutions, and request their attention to the same, and their determination upon the subject of the withdrawal of their branches promptly from this state.

Att. WILLIS A. LEE, C. S.

In which resolutions they request the concurrence of this

And then he withdrew.

A message from the senate by mr. Owens:

The senate have passed a bill entitled "an act to amend the act entitled an act respecting the conveyance, and also the division of the real estate of William Kennedy, Benjamin Beall and Jennette H. Beall, late of the county of Campbell.

In which bill they request the concarrence of this house.

And then he withdrew.

On motion,

Ordered, That leave be given to withdraw the papers, &c. filed with the clerk of this house in the case of the contested

election from Estill county.

Mr. Todd, from the joint committee of enrolments, reported that the committee had examined an enrolled bill entitled an act in addition to an act to incorporate the Louisville Insurance Company," and had found the same truly emolled.

Whereupon the speaker affixed his signature thereto. Ordered, That mr. Todd inform the senate thereof.

Mr. Logan read and laid on the table the following resolution, to wit.

Resolved, That the joint committee appointed to inquire into, and report the state of the Bank of Kentucky and its branches, and the causes of the late suspension of specie payments, be directed to inquire and ascertain what banks have been organized by virtue of an act of assembly entitled "an act to establish independent banks in this commonwealth;" and whether any, and if any, what banks commenced operation, or have since acted in violation of said act; and that the committee be invested with power to send for persons, papers and records.

Resolved, That a law ought to pass repealing the charters of all independent banks which shall have commenced operations contrary to the provisions of the act aforesaid, or have since failed and refused to comply therewith; and that the com-

mittee have power to report by bill or otherwise.

And thereupon the rule of the house being dispensed with.

the said resolutions were taken up and twice read.

A division of the question was called for; and the question was taken on the adoption of the first resolution, and it passed in the affirmative.

The yeas and mays being required thereon by messrs.

Howard and Underwood, were as follows, to wit:

Yeas-Messrs. Allen, Baker, Barnett, Barr, Baylor, Booker, W. O. Butler, A. Butler, Caldwell, Carter, Chian, Coombs, Crittenden, C. Sham, Dollerhide, Duncan (of Lincoln) Forrest, George St, J. Green, Givens, Manson, Haynes, Hickman, Hox Hunter, J. Johnston, Jones, Kennedy, Knight, Lackey, Lockett, Love, J. Logan, B. Logan, Megowan, Mercer, M'Kee, M'Closky, M'Millan, Miller, Morton, Mullens, Noland, O'Bannon, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Stockton, Stratton, Z. Taylor, J. Taylor, Todd, Turner, Underwood, J. Ward, Wickliffe, Williams and Worthington—64.

Nays—Mr. Speaker, messrs. Barbour, Beall, Berry, Breathitt, Chew, Dallam, Davis, Gaither, L. Green, Hardin, Harrison, Jennings, J. T. Johnson, B. Johnson, Lee,

Owings, Parsons, Pope and Ward-20.

Mr. Howard then moved to amend the second resolution by expunging therefrom the words printed in "italics."

And the question being taken thereon, it was decided in the

The year and nays being required thereon by messrs.

Howard and L. Green, were as follows, viz.

Yeas—Messrs, Allen, Baker, Barnett, Baylor, Chinn, Hanson, Haynes, Hickman, Howard, J. Johnston, Jones, Kennedy, Knight, B. Logan, M'Millan, Miller, Mullens, Noland, O'Bannon, Z. Taylor, Turner, and Worthington—92.

Nays—Mr. Speaker, messrs. Barbour, Barr, Barrett, Beall, Berry, Booker, Breathitt, W. O. Butler, A. Butler, Caldwell, Carter, Chew, Coombs, Crittenden, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Lincoln) Forrest, Gaither, George, Grant, L. Green, J. Green, Givens, Hardin, Harrison, Hunter, Jennings, J. T. Johnson, B. Johnson, Lackey, Lee, Lockett, Love, J. Logan, Megowan, Mercer, M'Kee, M'Closky, Morton, Owings, Parsons, Pope, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Stockton, Stratton, J. Taylor, Todd, Underwood, T. Ward, J. Ward, Wickliffe and Williams—63,

Mr. Harrison then moved to attach to the said second resolution, the following provise by way of amendment, viz.

Resolved, That the committee in the discharge of the duties prescribed in the above resolutions, shall not expend more than————dollars of the public money.

Mr. Booker then moved, at 57 minutes after 1 o'clock P.

M. that this house adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by messrs.

J. Green and Hanson, were as follow, to wit:

Yeas-Mr. Speaker, messrs. Barbour, Barnett, Barr, Beall, Booker, Breathitt, Chinn, Jennings, J. T. Johnson, Knight, Lackey, Love, B. Logan, Owings, Scott, Stockton,

Stratton and Williams-19.

Nays-Messrs. Allen, Baker, Baylor, W. O. Butler, A. Butler, Caldwell, Carter, Chew, Coombs, Crittenden, Cunningham, Davis, Dollerhide, Duncan (of Lincoln) Forrest, Gaither, George, Grant, L. Green, J. Green, Givens, Hanson, Hardin, Harrison, Haynes, Hickman, Howard, Hunter, J. Johnston, B. Johnson, Jones, Kennedy, Lee, Lockett, J. Logan, Megowan, M'Kee, M'Closky, M Millan, Miller, Morton, Mullens, Noland, O'Bannon, Parsons, Pope, Phelps, Prather, Ray, Rennick, Robinson, Sharp, Smith, Z. Taylor, J. Taylor, Todd, Turner, T. Ward, J. Ward, Wickliffe and Worthington-61.

Mr. Owings then moved at 7 minutes after 2 o'clock, P.

M. that this house do adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by messrs. Ow-

ings and Dallam, were as follows, to wit:

Yeas—Mr. Speaker, messrs. Barr, Beall, Berry, Booker, Breathitt, Coombs, Jennings, Lackey, Lee, Love, B. Logan, M'Kee, Morton, Owings, Stockton, Stratton, and Wil-

Nays-Messrs. Allen, Baker, Barnett, Baylor, W. O. Butler, A. Butler, Caldwell, Carter, Chew, Chinn, Crittenden, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Lincoln) Forrest, Gaither, George, Grant, L. Green, J. Green, Givens, Hanson, Hardin, Haynes, Hickman, Howard, Hunter, J. Johnston, J. T. Johnson, B. Johnson, Jones, Kennedy, Lockett, J. Logan, Megowan, M'Closky, M'Millan, Miller, Mullens, Noland, O'Bannon, Parsons, Pope, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Z. Taylor, J. Taylor, Todd, Turner, T. Ward, J. Ward, Wickliffe and Worthington-61.

Mr. T. Ward then moved to lay the said resolution and amendment on the table until the first day of March next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by messrs. J. Green and Worthington, were as follows, to wit:

Yeas—Mr. Speaker, messrs. Baker, Barbour, Baylor, Breathitt, Caldwell, Carter, Chew, Chinn, Cunningham, Dallam, Davis, Gaither, L. Green, Hardin, Harrison, Hickman, Jennings, J. T. Johnson, B. Johnson, Lackey, Lee, B. Logan, Owings, Parsons, Pope, Stockton, Stratton, and T. Ward—29.

Nays—Messrs. Allen, Barnett, Barr, Berry, Booker, W. O. Butler, A. Butler, Coombs, Crittenden, Dollerhide; Duncan (of Lincoln) Forrest, George, Grant, J. Green, Givens, Hanson, Haynes, Howard, Hunter, J. Johnston, Jones, Kennedy, Lockett, Love, J. Logan, Megowan, M'Kee, M'Closky, M'Millan, Miller, Morton, Mullens, Noland, O'Bannon, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Z. Taylor, J. Taylor, Fodd, Turner, J. Ward, Wickliffe, Williams and Worthington—51.

The question was then taken on adopting the proviso as an amendment to the second resolution, which was decided in

The year and mays being required thereon by messrs.

W. O. Butler and Howard, were as follows, to wit:

Yeas—Mr. Speaker, messrs. Allen, Baker, Barbour, Baylor, Beall, Booker, Breathitt, Carter, Chew, Chinn, Dallam, Davis, Forrest, Gaither, Grant, L. Green, Hardin, Harrison, J. T. Johnson, B. Johnson, Lackey, Lee, Love, B. Logan, Ovings, Parsons, Pope, Robinson, Stratton,

Todd, and T. Ward—32.

Nays-Messrs, Barnett, W. O. Butler, A. Butler, Caldwell, Coombs, Crittenden, Cunningham, Dollerhide, Duncan (of Lincoln) George, J. Green, Givens, Hanson, Haynes, Howard, Hunter, Jennings, J. Johnston, Jones, Kennedy, Lockett, J. Legan, Megowan, M'Kee, M'Closky, M'Millan, Miller, Morton, Mullens, Noland, O'Bannon, Phelps, Prather, Ray, Rennick, Scott, Sharp, Smith, Stockton, Z. Taylor, J. Taylor, Turner, J. Ward, Wickliffe, Williams and

Worthington—46.

The question was then taken on adopting the second reso-

lution, which was decided in the affirmative.

The year and nays being required thereon by messrs,

Jones and Rennick, were as tollows, to wit :

Yeas—Mr. Speaker, messrs, Allen, Baker, Barbour, Barnett, Baylor, Beall, Booker, Breathitt, W. O. Butler, A. Butler, Carter, Chew, Chinn, Coombs, Crittenden, Cunningham, Dallam, Dollerhide, Davis, Duncan (of Lincoln) Forrest, George, Grant, L. Green, J. Green, Givens, Hanson, Hardin, Haynes, Howard, Hunter, Jennings J. Johnston, J. T.

Yohnson, Jones, Kennedy, Lackey. Lee, Lockett, Love, J. Logan, B. Logan, Megowan, M'Kee, M'Closky, M'Millan, Miller, Morton, Mullens, Noland, O'Bannon, Owings, Parsons, Pope, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Stockton, Stratton, Z. Taylor, J. Taylor, Todd, Turner, J. Ward, Wickliffe, Williams and Worthington—73.

Nays-Messrs. Barr, Caldwell, Gaither, Harrison, B.

Johnson and T. Ward-6.

Ordered, That mr. J. Logan carry the said resolutions to the senate, and request their concurrence.

And then the house adjourned.

MONDAY, DECEMBER 21, 1818.

On motion,

Ordered That messrs. Bollerhide, Prather, W. Wall, Baylor, M'Millan and Barrett, have leave of absence from

the service of this house until Monday next.

The petition of Sarah Ashby, widow of Stephen Ashby, deceased, and Stephen Ashby. John Ashby and Thomas Prather, guardian to the children of Ennis Ashby, deceased, and Jemima Ashby, widow of said Ennis; representing that the said Stephen, devised to said Sarah by his will, 154 acres of land during her natural life, and after her death to Ennis Ashby (who is since dead) and his heirs forever; that the land is barren of timber, and will in all probability command a better price now than it will in a few years; and praying that a law may pass directing the same to be sold, and the proceeds placed out at interest, subject in all other respects to the provisions of the will of said Stephen Ashby, deceased.

The petition of the president and directors of the bank of Green river at Glasgow, praying that a law may pass, authorising said bank to proceed to do business under the act incorporating independent banks, upon the conditions and un-

der the restrictions proposed in said petition.

The petition of sundry citizens of Casey county, praying that a law may pass remitting the balance of the state price due, and authorising the emanation of a grant to the infant children of John Strange, deceased, for 100 acres of land on which he lived previous to his death in Casey county.

The petition of Isaac Matthews of Hopkins county, representing that he commenced a suit in chancery in the Hopkins

circuit court for a divorce against his wife, Tapenas Matthews, under the charge of living in open adultery with another man; which fact he has completely established; but that on the trial of said cause, it was found that the act regulating the proceedings in cases of divorces did not embrace his case; and praying legislative relief.

And the petition of sundry citizens of Christian county, praying that a grant may issue to the heirs of William Davenport, deceased, on an attested copy of a plat and certificate of survey for 50 acres of land in said county, (the original having been lost) and the state price on said land having been

naid.

Were severally received, read and referred; the first, fourth and fifth to a select committee of messrs. Breathitt, Jennings, Ray and Given, giving said committee leave to report thereon by bills or otherwise; the second, to the committee appointed to prepare and bring in a bill on that subject; and the third, to the committee of propositions and grievances.

A message from the senate by mr. Owens:

Mr. Speaker,

The senate insist on their disagreement to

The senate insist on their disagreement to the third and fourth amendments proposed by this house to the resolution from that, for appointing joint committees to examine the public offices; and they request a committee of conference to be appointed on the part of this house, to meet a committee of three appointed on the part of the senate on the subject of the disagreement between the houses on said resolution.

And then he withdrew.

Ordered, That messrs. Caldwell, Hardin, M'Kee, Sharp, Underwood and Hanson, be appointed on the part of this house a committee pursuant to said request; and that mr. Caldwell inform the senate thereof.

The house took up a resolution laid on the table on the

18th inst. for a recess of the general assembly.

Which being twice read :

Mr. Barr then moved the following resolution in lieu thereof, viz.

Resolved. That when we adjourn on to-morrow, we will adjourn until Monday next.

And the question being taken on agreeing thereto, it was decided in the affirmative.

The yeas and nays being required thereon by messrs. Kennedy and Smith, were as follows, to wit:

Yeas-Mr. Speaker, messrs. Barbour, Barnett, Barr, Beall, Booker, Chew, Chinn, Coburn, Crittenden, Dallam,

Field, George, J. Green, Givens, Hickman, Howard, Jennings, B. Johnson, Knight, Lee, Love, B. Logan, Megowan, Mullens, Noland, Parsons, Pope, Phelps, Rennick, Stockton, Stratton, J. Taylor, G. Wall, T. Ward, J. Ward,

Williams and Worthington-38.

Nays—Messrs. Allen, Breathitt, Caldwell, Coombs, Cunningham, Davis, Duncan (of Lincoln) Duncan (of Daviess) Forrest, Gaither, L. Green, Haynes, J. Johnston, J. T. Johnson, Jones, Kennedy, Lackey, Lockett, Mercer, M'Kee, M'Closky, Miller, Morton, O'Bannon, Ray, Scott, Sharp, Smith, Z. Taylor, Todd, Turner, Underwood and Wickliffe—33.

The question was then taken on adopting the said resolution as amended, which was decided in the affirmative.

The year and nays being required thereon by messrs. L.

Green and Kennedy, were as follows, viz.

Yeas—Mr. Speaker, messrs. Barbour, Barnett, Barr, Beall, Chew, Chinn, Coburn, Crittenden, Field, George, J. Green, Givens, Harrison, Hickman, Howard, Hunter, J. T. Johnson, B. Johnson, Knight, Lee, Love, B. Logan, Megowan, M'Closky, Mullens, Noland, Owings, Parsons, Pope, Phelps, Rennick, Stockton, Stratton, J. Taylor, G. Wall, T. Ward, J. Ward, Williams and Worthington—40.

Nays—Messrs. Allen, Booker, Breathitt, A. Butler, Caldwell, Coombs, Cunningham, Dallam, Davis, Dancan (of Daviess) Duncan (of Lincoln) Forrest, Gaither, L. Green, Hanson, Haynes, Jennings, J. Johnston, Jones. Kennedy, Lackey, Lockett, Mercer, M'Kee, Miller, Morton, O'Bannon, Ray, Scott, Sharp, Smith, Z. Taylor, Todd, Turner, Underwood and Wickliffe—36.

Ordered, That mr. Williams carry the said resolution to

the senate and request their concurrence.

Mr. Parsons from the select committee to whom was referred a bill from the senate entitled "an act for the relief of Charles Willott, sen. and Patrick Gilmore, reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill, as amended, be read a third time to-morrow.

A message from the senate by mr. Faulkner: Mr. Speaker,

The senate have passed a bill which originated in this house, entitled "an act for the benefit of Daniel and Anthony Owsley, with an amendment; in which they request the concurrence of this house.

And then he withdrew.

A message from the lieutenant governor by mr. Wag-

Mr. Speaker,

The lieutenant-governor did on this day approve and sign enrolled bills which originated in this house, of the following titles:

An act for the benefit of part of the children of William Sthreshley, deceased; and an act in addition to an act entitled "an act to incorporate the Louisville Insurance Company."

And then he withdrew.

Ordered, That mr. Todd inform the senate thereof.

Mr. Chew from the select committee to whom was referred a bill to repeal an act concerning certain trespasses on lands, reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill as amended, be engressed and read a third time to-morrow.

A message from the senate by mr. Crutcher:

Mr. Speaker,

The senate concur in a resolution from this house for a recess of the general assembly.

And then he withdrew.

Mr. Todd from the joint committee of enrolments, reported that the committee had examined enrolled bills of the follow-

ing titles:

An act establishing the town of Maxville in Washington county; an act to open a road from Mountsterling to the Virginia line by way of Prestonsburg, and for other purposes; an act for the benefit of the register of the land office; an act for the benefit of Thomas Bonnell; an act supplemental to an act passed on the 15th of December, 1817, for the benefit of the widow and heirs of Thomas Clarke.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto. Ordered. That mr. Todd inform the senate thereof.

Mr. Beall from the select committee to whom was referred a bill to establish an election precinct in Nelson county, reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill, as amended, be engrossed and read a third time to-morrow.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By mr. Pope-1. A bill to amend the several acts regula-

By mr. Crittenden-2. A bill for the benefit of the devisees

of John Curd, and the heirs of Price Curd.

By mr. Pope, from the committee for courts of justice—3. A bill authorising Walter Preston to convey certain lands in this commonwealth.

By mr. Booker-4. A bill declaring Chapline's fork of Salt river and Rough creek navigable streams.

By mr. T. Ward-5. A bill to regulate the fees of the jus-

tices of the peace of this commonwealth.

And by mr. Williams—6. A bill to amend an act entitled of an act authorising certain justices of the county court to award injunctions, writs of ne excent and habeus corpus."

Which bills were severally received, and read the first

time, and ordered to be read a second time.

A message from the senate by mr. Crutcher:

Mr. Speaker,

The senate have passed a bill entited "an act to change the time of meeting of the general assembly."

In which bill they request the concurrence of this house.

And then he withdrew.

Mr. Hardin moved the following resolution, viz.

Resolved, That a committee he appointed to inquire whether counsel ought to be employed to appear in the supreme court of the United States, on the question adjourned from the circuit court for this district to said court, in which is involved the constitutionality of the act of the general assembly of this state, entitled "an act to amend an act entitled an act concerning occupying claimants of land," with leave to report by bill or otherwise.

Which being twice read was concurred in: And messrs, Hardin, Sharp, Hanson and J. Taylor, appointed a commit-

tee conformably thereto.

Mr. Hunterfrom the joint committee of enrolments, reported that the committee did on this day, deposit in the office of the secretary of state for the approbation and signature of the lieutenant-governor, the bills signed by the speakers of both houses on this day.

Mr. Hardin read and laid on the table the following reso-

Intion, to wit.

Billionia barrette erbeiten. bie

IN GENERAL ASSEMBLY.

Resolved, That the several committees raised for the purpose of examining the public offices, be instructed to make their report to each house on or before the—day of January next.

A message from the senate by mr. Lee their secretary:

Mr. Speaker,

The senate have passed a bill entitled "an act allowing an additional number of justices of the peace to the counties of Bath, Whitley and Nelson."

In which bill they request the concurrence of this house.

And then he withdrew.

An engrossed bill entitled "an act to amend an act entitled an act to establish and regulate the town of Campbellsville, in Green county."

Was read a third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That mr. L. Green inform the senate thereof.

A bill to incorporate the trustees of the College of Ken-

tucky at Danville, was taken up, read a second time, and amended.

Mr. J. Taylor then moved further to amend said bill in the fourth section, by expunging from the third rule or fundamental article of the college, the following words, viz.

"But it may be lawful for any of the christian evangelical churches, to institute and attach to said college a theological school, on furnishing the funds necessary therefor—the professors in which shall be appointed by, and be under the control of the church instituting the same, and in which the doctrines of said church may be taught. The students in said theological school, to be under the immediate government of the professors of the same; but subject, nevertheless, to the general rules and regulations of the college."

And the question being taken thereon, it was decided in

the negative.

The yeas and nays being required thereon by messrs. J.

Taylor and Hanson, were as follows, viz.

Yeas—Messrs. Baker, Barbour, Barr, A. Butler, Chew, Chinn, Coombs, Dallam, Duncan (of Daviess) Field, Hanson, Haynes, Hickman, Hunter, Jennings, B. Johnson Lackey, Megowan, Miller, Morton, Mullens, Noland, O'Bannon, Owings, Z. Taylor, J. Taylor, Todd, Turner, G. Wall, T. Ward, Wickliffe and Williams—32.

Nays—Mr. Speaker, messrs. Allen, Barnett, Beall, Booker, Breathitt, Caldwell, Crittenden, Cunningham. Davis, Duncan (of Lincoln) Forrest, Gaither, George, L. Green, J. Green, Hardin, Harrison, Howard, J. Johnston, J. T. Johnson, Jones, Kennedy, Knight, Lee, Lockett, Love, M'Kee,

M'Closky, Parsons, Pope, Phelps, Ray, Rennick, Scott, Sharp, Smith, Underwood, J. Ward and Worthington-40.

Further amendments having been offered to said bill.

The house then adjourned.

TUESDAY, DECEMBER 22, 1818.

The memorial of sundry citizens of the counties of Warren and Allen, remonstrating against the proposition to build a bridge across Big Barren river, near Bowling-Green, in

Warren county.

And the petition of David Woodruff of Hopkins county, representing that he produced a land warrant for 125 acres, which he caused to be located, surveyed and carried into grant on a piece of land in said county, which he supposed to be unappropriated; but has since discovered that the same interferes with a military claim, by which he has been evicted; and praying that he may be permitted to appropriate 125 acres of the vacant land in this commonwealth, or that the price of said warrant may be refunded to him.

Were severally received and read; the first was laid on the table; and the second referred to a select committee of messrs. Givens, J. Johnston, L. Green and Mercer, giving said committee leave to report thereon by bill or otherwise.

Mr. Underwood from the select committee to whom was referred a bill from the senate entitled "an act to prevent the making of entries and surveys, and the emanation of grants for certain lands in this commonwealth," reported the same without amendment.

Ordered. That the said bill be read a third time.

And thereupon the rule of the house and third reading of said bill being dispensed with,

Resolved, That the said bill do pass, and that the title there-

of be as aforesaid.

Ordered, That mr. Underwood inform the senate thereof.
A message from the senate by mr. Lee their secretary:
Mr. Speaker.

The senate have passed a bill entitled " an act for the ben-

efit of Union Academy."

In which they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Owens:

Mr. Speaker.

The senate have passed a bill which originated in this house, entitled " an act to amend an act entitled an act to

establish and regulate the town of Campbellsville in Green county.

And then he withdrew.

The following bills were reported from the several commit-

tees appointed to prepare and bring in the same, viz.

By mr. Smith—1. A bill to extend and continue in force a law for returning plats and certificates into the register's office, and for surveying certain lands in this commonwealth, approved January the 4th, 1816.

And by mr. Underwood-2. A bill to amend the charter of

the bank of Green river.

Which bills were severally received and read the first time, and ordered to be read a second time.

Mr. Lackey read and laid on the table the following reso-

lution, to wit.

Resolved by the general assembly of the commonwealth of Kentucky, That the executive of this state be, and he is hereby requested to correspond with the executive of the state of Virginia on the subject of opening a state road from Mountsterling in this state to the interior of Virginia, by way of Prestousburg; and respectfully request the executive of Virginia to lay the subject before the legislature of that state, and solicit them in extending said road from the line of this state to the interior of Virginia.

Resolved, That the executive of this state be, and he is hereby requested in conjunction with the executive of Virginia, to fix on the point where the contemplated road shall

cross the line between the two states.

Resolved, That the executive of this state be, and he is hereby requested to transmit to the executive of Virginia a copy of the act entitled "an act to open a road from Mountsterling to the Virginia line, by way of Prestonsburg," approved the 21st December, 1818; also a copy of the commissioner's report, that the same may be laid before the legislature of Virginia at their present session.

Mr. Barr from the joint committee of enrolments, reported that the committee had examined enrolled bills of the follow-

ing titles:

An act further to regulate the debt due the commonwealth for the sale of vacant lands; and an act to prevent the making of entries and surveys, and the emanation of grants for certain lands in this commonwealth.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto. Ordered, That mr. Barr inform the senate thereof.

Mr. Caldwell from the committee of conference appointed on the subject of the disagreement of the two houses on the resolutions from the senate to appoint joint committees to examine the public offices, made the following report, viz.

The committee of conference appointed to cenfer upon the resolution appointing a joint committee to examine the auditor's office, beg leave to recommend the adoption of the fol-

fowing resolution :

Resolved, That the house of representatives do recede from their amendment proposed to said resolution; and that at any time one member from the senate and two from the house of representatives, shall be sufficient to do business in said office.

From the senate,

WILLIAM OWENS, Chairman.

From the house of representatives.

WILLIAM CALDWELL, Chairman.

And thereupon the rule of the house being dispensed with, the resolution proposed by said committee was taken up,

twice read and adopted.

Military and the seasons by

Whereupon messrs. Sharp, Chew, Parsons, T. Ward, Dallam and Booker, were appointed a committee on the part of this house to examine the register's office. Messrs. Howard, Harrison, Kennedy, George, Barbour and L. Green, a committee to examine the treasurer's office: And messrs. M'Kee, Beall, Breathitt, Barnett, Caldwell, Lackey, Megowan, Rennick, J. Taylor, Chinn, Love, Berry, Coombs, G. Wall and Mercer, a committee to examine the auditor's office.

Ordered, That mr. Caldwell inform the senate thereof.

And then the house adjourned.

MONDAY, DECEMBER 28, 1818.

At 10 o'clock, A. M. the Speaker took the chair, but a sufficient number of members to form a quorum not appearing, the house was adjourned to meet on to-morrow.

TUESDAY, DECEMBER 29, 1818.

The petition of sundry citizens of the counties of Franklin, Scott, Pendleton and Gallatin, praying that a new county may be formed out of a part of each of said counties.

The memorial of James Maccoun of Lexington, remonstrating against the passage of a bill for the benefit of Daniel A. Brewer, which provides for the condemnation of a valuable mill-seat owned by the petitioner on Salt river, in Mercer county; and urging several reasons why said bill should not pass.

The petition of sundry citizens of Christian county (in addition to those formerly presented,) praying that a new county may be formed out of the west end of said county.

The petition of John Woods, of Mercer county, representing that at the last September term of the Mercer circuit court, he was appointed by said court to act as an elisor on the trial of Samuel Daviess, for which said court made him an allowance for his services; but that no law exists providing for his payment; and praying that a law may pass directing the payment of the allowance made to him as aforesaid.

The petition of the widow and heirs of Mann Satterwhite, deceased, of Fayette county, praying that a part of the real estate of said decedant may be sold, and the proceeds paid to the administrator, and applied by him to the payment of the debts of said decedant.

The petition of John S. Hunter, of Scott county, representing that he has a just claim against the commonwealth for money laid out and expended for the benefit of the penitentiary institution, while acting as superintendent thereof; and praying that some provision may be made for his payment.

The petition of sundry citizens of Woodford county, representing that Francis Peart of said county, devised to the county court of Woodford, a large real and personal estate for the benefit of a school; and praying that a law may pass to incorporate a school conformably to the intentions of the testator, under the provisions of said will, and to release the claim of the commonwealth (if any exists) to the estate devised.

The petition of sundry citizens of the town of Prestonsburg in Floyd county, praying that a law may pass to reduce the amount of taxes authorised to be levied on the inhabitants of said town by the trustees thereof;

The petition of several citizens of Versailles, representing that at an early period of said town, the owners and proprietors of lots on the west side of water street, made lasting and valuable improvements thereon; and that upon a resurvey, it is ascertained that their improvements are made upon said street, whereby they are subjected to be expelled from their possessions, and to great injury by loss of property; and praying that a law may pass, directing the sale to them at a fair price of so much of said street as interferes with said improvements.

And the petition of sundry citizens of Georgetown, praying that a law may pass vesting the trustees of said town with power to have alleys opened through the original squares of

lots in said town.

Were severally received, read, and referred; the first, second and third to the committee of propositions and grievances; the fourth and sixth to the committee of claims; the seventh to the committee for courts of justice; the fifth to a select committee of messrs. Barr, Crittenden and J. T. Johnson; the eighth to a select committee of messrs. Lackey, Williams and M'Millan; the ninth to a select committee of messrs. Hunter, Field and Todd; and the tenth to a select committee of messrs. G. Wall, J. T. Johnson and J. Taylor, giving said committees leave to report by bills or otherwise.

Leave was given to bring in the following bills:

On the motion of mr. Pope—1. A bill to amend the act establishing independent banks in this commonwealth.

On the motion of mr. Underwood—2. A bill to extend the prison bounds in the several counties in this commonwealth. On the motion of mr. Hardin—3. A bill to amend the laws

concerning the limitations of actions.

On the motion of mr. Smith-4. A bill to alter and amend the law concerning usury.

On the motion of mr. Lackey-5. A bill to declare Sandy

river a navigable stream.

On the motion of mr. J. Logan-6. A bill to amend an act entitled "an act to amend an act incorporating the Lexington and Louisville turnpike road company."

And on the motion of mr. Worthington-7. A bill allowing

fees to coroners and elisors in certain cases.

Messrs, Pope, Barbour and J. Logan, were appointed a committee to prepare and bring in the first; messrs. Underwood, M'Millan, flardin and Hickman, the second; messrs. Hardin, M'Kee, Hanson, Crittenden and Baylor, the third; messrs. Smith, Howard, Jennings and Chinn, the fourth; messrs. Lackey, T. Ward and Megowan, the fifth; messrs. J. Logan, Knight and Pope, the sixth; and messrs. Worthington, Ray and Booker, the seventh.

A bill from the senate, entitled "an act for the benefit of Charles Willott, sen. and Patrick Gilmore," was read a

third time as amended.

Resolved, That the said bill, as amended do pass.
Ordered, That mr. Sharp inform the senate thereof, and request their concurrence in said amendments.

Engrossed bills of the following titles:

1. An act to repeal an act concerning trespasses on lands; 2. An act erecting an election precinct in Nelson county.

Were severally read a third time.

Resolved, That the said bills do pass; that the title of the first be amended to read " an act to amend an act concerning certain trespasses on lands; and that of the second be as aforesaid.

Ordered, That mr. Lockett carry the first; and mr. M'-Closky the second bills to the senate, and request their concurrence.

Ordered, That "a bill to incorporate the trustees of the College of Kentucky at Danville;" "a bill further to indulge the settlers on the lands acquired by the treaty of Tellico to pay the state price on their claims;" and "a bill to alter the mode of taking in lists of taxable property," be laid on the table.

A bill from the senate, entitled "an act to release the state's claim to salt water in certain cases;" and a bill entitled "an act for the benefit of Daniel Trabue."

Were severally read a second time.

The former was committed to a select committee of messrs. Phelps, Howard, Barnett, Kennedy and Duncan (of Lincoln); and the latter was ordered to be read a third time tomorrow.

A bill from the senate, entitled "an act further to indulge the settlers on the lands acquired by the treaty of Tellico to pay the state price on their claims;" and a bill from the senate, entitled "an act to incorporate the Bowling-Green bridge company."

Were severally read the first time, and ordered to be read a second time.

The following bills were severally read a second time, to wit:

1. A bill for the benefit of the widow of Peter Bodine, deceased; 2. A bill for the benefit of Edward Maxey; 3. A bill for the benefit of Nathaniel Tucker; 4. A bill to provide for the revision of the statute laws of this commonwealth; 5. A bill for the benefit of Nancy Godby, Patsey Lawrence and others; 6. A bill for the benefit of Ann Moorland, Nelly Delancy and Elizabeth Ellison Delancy; 7. A bill for the benefit of the heirs of Adam Woods, deceased.

The first, second, third, fourth, fifth, sixth and seventh bills (the first, fifth and sixth having been amended at the elerk's table) were severally ordered to be engrossed and read a third time to-morrow.

A bill to amend the several acts regulating proceedings in suits at law and in chancery, was read a second time.

And then the house adjourned.

WEDNESDAY, DECEMBER, 30, 1818.

The petition of sundry citizens of Christian county, representing that many evils are experienced by the citizens of this commonwealth, in consequence of the location of the branches of the United States' Bank in this state; and praying that the legislature will take some speedy and effectual means to cause their withdrawal from this state.

And the petition of sundry citizens of Bloomfield, in Nelson county, praying that a law may pass to establish and regulate said town, and for the appointment of trustees therein.

for its better government.

Were severally received, read and referred; the former to the committee to whom was referred so much of the lieutenant governor's message as relates to the United States' branch banks located in this state, and that mr. Dallam is added to said committee; and the latter to a select committee of messrs. M'Closky, Beall, Harrison and Breathitt, giving said committee leave to report thereon by bill or otherwise.

The speaker laid before the house a letter from the adju-

tant-general of this state.

Which was then taken up and read as follows, viz. FRANKFORT, DECEMBER 30th, 1818.

The honorable the Speaker

of the House of Representatives,

Sir-By a provision of law, the adjutant-general is directed to keep his office in the state house, or such other house as

the legislature shall provide.

In relation to this subject, permit me through you to report to the house of representatives, that no room in the statehouse or other place has yet been designated, nor do I know of one that is unoccupied in the state-house, which could be appropriated to the use of the adjutant-general.

The papers and records of the office are now compelled to be kept, and must remain at the mercy of other officers of the government until a room can be provided. The quarter-master-general's office, I believe is in the same situation.

If this subject merits the consideration of the legislature, I would be gleave to suggest that the building now occupied as a seminary on the public square, is well calculated to answer all the purposes of accommodation of both offices.

The adjutant-general and quarter-master-general's offices can be very conveniently kept in one and the same room. The other room below may be appropriated as an arsenal. The rooms above, can be appropriated to such other purpo-

ses as the legislature may think right.

The situation of this building on the public square, renders it wholly unfit for the purposes for which it was intended. The trustees are, therefore, desirous to get rid of it; and will, I have no doubt, dispose of it on good terms. By making this arrangement, another object no less desirable will be obtained. The public square, and public buildings, will no longer be subject to the depredations and abuses consequent on being in the vicinity of a numerous collection of schoolboys.

I have the honor to be, Very respectfully, your most obedient, O. G. WAGGENER, Adj't, Gen.

Ordered, That the said letter be referred to a select committee of messrs. Hardin, M'Millan, Sharp, Coburn and Todd, giving said committee leave to report by bill or otherwise.

Mr. Hardin read and laid on the table the following reso-

lution, viz.

Resolved, That the clerk in making out the journals of this house in future, omit entering at large the reports of the committees, until the same shall have been acted upon by the house, and then if adopted, that they be entered as adopted by the house.

Resolved, That the clerk be governed by the like rule in relation to resolutions offered for the consideration of the

house.

Mr. Sharp from the committee of propositions and griev-

ances, made the following report, viz.

The committee of propositions and grievances, have according to order had under consideration sundry petitions to them referred, and have come to the following resolutions thereupon, to wit:

Resolved, That the petition of sundry citizens of Knox county, praying for the erection of a new county out of a part of said county, is reasonable.

Resolved. That the petition of sundry citizens of Christian and Caldwell counties, praying for the erection of a new county out of a part of each of said counties, be rejected.

Resolved, That the petition of sundry citizens of Christian, praying that a new county may be established out of a part of said county, be rejected.

Which being twice read, was concurred in.

Ordered, That the said committee prepare and bring in a bill pursuant to the first resolution.

Mr. Hardin read and laid on the table the following resolution, viz.

Resolved, That the following be adopted as the rule of this house, to wit:

If a bill or other measure be under the consideration of this house, and undetermined at the time of adjournment; such bill or measure, shall on the next day take precedence of the usual orders of the day, and the consideration thereof be resumed.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By Mr. Hardin from the committee for courts of justice—
1. A bill for the benefit of Alisana Brown.

By mr. Lackey-2. A bill to amend an act regulating the town of Prestonsburg, in Floyd county.

By mr. Pope-3. A bill to amend the act establishing independent banks in this commonwealth.

By mr. Davis-4. A bill to repeal the act of the 23d January, 1818, relative to Morgantown.

By mr. Hardin-5. A bill to amend the laws concerning the limitations of actions.

By mr. G. Wall-6. A bill to amend the several acts respecting the town of Georgetown.

By mr. Todd-7. A bill for the benefit of John P. Thomas, late treasurer.

By mr. A. Butler-8. A bill for the erection of a new county out of the counties of Logan, Warren and Allen.

And by mr. Lackey—9. A bill to declare Sandy river a navigable stream.

Which bills were severally received, and read the first time, and ordered to be read a second time. And thereupon the rule of the house and second and third readings of the third bill being dispensed with, and the same being engrossed.

Resolved. That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered, That mr. Pope carry the said bill to the senate

and request their concurrence.

Ordered, That the public printers forthwith print 150 copies of the fifth bill for the use of the members of this house.

Mr. Sharp from the committee appointed for that purpose, reported a bill for the benefit of those who conscientiously scruple to bear arms.

Which was received and read the first time, and the question being taken on reading the said bill a second time, it

passed in the negative, and so said bill was rejected.

A message from the lieutenant and acting governor by mr. Waggener:

Mr. Speaker,

The lieutenant and acting governor did on the 28th instant approve and sign enrolled bills which originated in this house

of the following titles:

An act for the benefit of Thomas Bonnell; an act for the benefit of the register of the land office; an act establishing the town of Maxville in Washington county; an act supplemental to an act passed on the 15th of December, 1817, for the benefit of the widow and heirs of Thomas Clarke; and an act to open a road from Mountsterling to the Virginia line by way of Prestonsburg, and for other purposes.

And then he withdrew.

Ordered, That mr. Barr inform the senate thereof.

Mr. J. Taylor moved for leave to bring in a bill for the relief of the representatives of William Ward, deceased.

And the question being taken on granting leave to bring in said bill, it passed in the negative, and so the said motion was disagreed to.

Leave was given to bring in the following bills:

On the motion of mr. Pope—1. A bill giving additional powers to the trustees of the town of Louisville, and for other purposes.

On the motion of mr. Lockett-2. A bill for the benefit of

the heirs of Henry Garrard, deceased.

On the motion of mr. T. Ward—3. A bill to establish the true line between the counties of Floyd and Greenup.

On the motion of mr. Howard—4. A bill to repeal an act authorising county courts in this commonwealth to establish ware-houses.

On the motion of mr. M'Millan—5. A bill requiring the stockholders of the several independent banks to be responsible in their individual property to the full amount of their stock for the notes put in circulation.

And on the motion of mr. Dollerhide-6. A bill for the ben-

efit of Conrod Baker of Casey county.

Messrs. Pope, Barbour, Harrison and J. Logan, were appointed a committee to prepare and bring in the first; messrs. Lockett, J. Logan, Breathitt and Pope, the second; messrs. T. Ward, Lackey, Williams, J. Logan and M'Millan, the third; messrs. Howard, Barr, Field, Chinn and L. Green, the fourth; messrs. Barr, Hardin, J. T. Johnson, Coburn, Hickman, T. Ward, Crittenden, M'Millan and Sharp, the fifth; messrs. Dollerhide, Allen and Breathitt, the sixth.

Engrossed bills of the following titles:

1. An act for the benefit of the widow of Peter Bodine, deceased; 2. An act for the benefit of Edward Maxey; 3. An act for the benefit of Nathaniel Tucker; 4. An act to provide for the revision of the statute laws of this commonwealth.

Were severally read a third time; and an engrossed clause

added to the second by way of engrossed ryder.

Resolved, That the first, second and third bills do pass; that the title of the first be amended by adding thereto the words " and for other purposes;" that of the second, by adding thereto the words " and John Wilson;" and that of the third be as aforesaid.

Ordered, That mr. Hardin carry the first; mr. Jones the second; and mr. L. Green the third bills to the senate, and

request their concurrence.

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Ordered, That the fourth bill be laid on the table; and that the public printers forthwith print 150 copies thereof for the use of the members of this house.

And then the house adjourned.

THURSDAY, DECEMBER 31, 1818.

The house took up a resolution laid on the table on the 22d instant, relative to opening a road from Mountsterling in this state, to the Virginia line, by way of Prestonsburg.

Which being twice read, was adopted.

Ordered, That mr. Lackey carry the said resolution to

the senate, and request their concurrence.

The speaker laid before the house a memorial from Samuel Garrison of Allen county, proffering charges against Walter Thomas, high sheriff, and William Collins, a justice of the peace for said county; and praying that an inquiry may be instituted against them, and that they may be removed from office.

Which was received and read.

And the question being taken on referring the said memorial to a select committee of nine, with power to send for persons, papers and records for their information, it was decided in the negative, and so the said memorial was rejected.

The petition of sundry citizens of Madisonville, Hopkins county, praying that sundry regulations may be made by the legislature with regard to the streets and alleys of said

town.

And the petition of sundry citizens of said town, praying that a law may pass to establish an independent bank therein, with a sufficient capital, and under suitable and proper regulations.

Were severally received and read; the first was referred to the committee of propositions and grievances; and the question being taken on referring the latter to the proper committee, it was decided in the negative, and so the said pe-

tition was rejected.

The house took up a resolution laid on the table on the 21st instant, directing the joint committees appointed to examine the public offices, to discharge that duty within a limited time.

Which being twice read, and amended by striking out the word "next" in the last line, and filling the blank with the word "15th" was concurred in.

Ordered, That mr. Hardin carry the said resolution to the

senate, and request their concurrence.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By mr. Sharp from the committee of propositions and grievances—1. A bill for the division of Knox county.

By mr. Pope—2. A bill giving additional powers to the trustees of the town of Louisville, and for other purposes.

By mr. Barr—3. A bill to prescribe the proceedings against banks and other corporations that may forfeit their charters—4. A bill to amend the proceedings in civil suits against banks and other corporations.

By mr. J. Taylor-5. A bill to increase the wages of the

members of the general assembly.

By mr. Worthington-6. A bill authorising suits against heirs and devisees in certain cases, and limiting the time of bringing suits against executors and administrators.

By mr. Dollerhide-7. A bill for the benefit of Conrad

Baker of Casey county.

By mr. Worthington-8. A bill allowing coroners and elisors pay in certain cases.

By mr. Forrest-9. A bill to amend the several acts con-

cerning surveyors of roads.

And by mr. J. Logan-10. A bill to amend an act entitled " an act to amend an act incorporating the Lexington and Louisville turnpike road company."

Which bills were severally read the first time, and ordered

to be read a second time.

Ordered, That the public printers forthwith print 150 copies of the third, fourth and ninth bills for the use of the members of this house.

Leave was given to bring in the following bills :

On the motion of mr. George-1. A bill for the benefit of John Razer.

On the motion of mr. Barr-2. A bill to authorise the county court of Fayette to hold a court every month.

On the motion of mr. Jones-3. A bill to amend the law regulating tippling houses and billiard tables in this commonwealth, and for other purposes.

And on the motion of mr. L. Green-4. A bill to amend an act authorising county courts to discontinue public roads, ap-

proved February 3d, 1818.

Messrs. George, M'Closky, Thomas and J. Green, were appointed a committee to prepare and bring in the first; messrs. Barr, Crittenden and J. Logan, the second; messrs. Jones, Hunter, J. Taylor and Breathitt, the third; and messrs. L. Green, Kennedy, J. Taylor, Todd and Sharp, the fourth.

The house took up a resolution laid on the table on yesterday by mr. Hardin, proposing an amendment to the rules of this house.

Which being twice read, was adopted.

The speaker laid before the house a letter from Thomas Todd, Esq. president of the company incorporated to make a turnpike road between Frankfort and Shelbyville.

Which was then read as follows, viz.

The honorable the Speaker

of the House of Representatives,

SIR-The president, directors and company of the Frankfort and Shelbyville turnpike road, respectfully report to the general assembly of the commonwealth of Kentucky agreeably to the provisions of the 20th section of the original act of assembly, approved the 4th of February, 1817-

That by virtue of an act of the general assembly, approved on the 31st January, 1818, the commissioners appointed by the 10th section of the act, opened books of subscriptions for stock in the said company, for the purpose of constructing an artificial road from Frankfort to Shelbyville.

That 667 shares of one hundred dollars each, has been

subscribed, amounting to \$66,700.

That a general meeting of the stockholders was had on the 8th day of May last, at which a president, six directors and a treasurer were chosen; and on the 11th day of May

last, the company was organized.

That contracts have been entered into for constructing six miles of the said road, commencing at the Frankfort permanent bridge, and proceeding westwardly towards Shelbyville, and for five miles commencing at Shelbyville, and proceeding eastwardly towards Frankfort.

That the undertakers have commenced the work, and por-

tions of the road are completed.

That the sum of \$6,500 has been paid out and expended

in the prosecution of the work.

That the company have reasonable expectations that a considerable portion of the road will be completed before the next meeting of the general assembly.

That the two first instalments of the stock has been nearly

paid up.

That no toll-gates have been erected or toll received.

That from the contracts made, the cost of constructing the said road will average about \$7000 per mile.

All of which is respectfully submitted,

By order of the board.

THOMAS TODD, Pres't.

December 28. 1818.

A message from the senate by mr. Bledsoe:

Mr. Speaker,

The senate concur in a resolution from this house relative to the road leading from Mountsterling to the Virginia line by way of Prestonsburg, with an amendment; and they have

passed a bill entitled " an act to provide for the revision of the statutes of this commonwealth.

In which amendment and bill they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Barry :

Mr. Speaker.

The senate have passed a bill which originated in this house entitled " an act to amend an act establishing independent banks in this commonwealth."

And then he withdrew.

Ordered. That a bill to incorporate the trustees of the college of Kentucky, at Danville, with the amendments there-

to, be placed in the orders of the day.

A bill to amend and continue in force a law for returning plats and certificates into the register's office, and for surveying certain lands in this commonwealth, approved January the 4th, 1816; was read a second time, and ordered to be engrossed and read a third time.

And thereupon the rule of the house and third reading of said bill being dispensed with, and the same being en-

grossed.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That mr. Smith carry the said bill to the senate, and request their concurrence.

Engrossed bills of the following titles:

1. An act for the benefit of Nancy Godby, Patsey Lawrence and others; and 2. An act for the benefit of Ann Moorland, Nelly Delaney and Elizabeth Ellison Delaney.

Were severally read a third time.

Resolved, That the first bill do pass, and that the title thereof be as aforesaid.

Ordered, That mr. Dollerhide carry the same to the senate, and request their concurrence.

Ordered, That the second bill be laid on the table until the

first day of March next.

Mr. Todd from the joint committee of enrolments, reported that the committee had examined an enrolled bill entitled ss an act to amend an act establishing independent banks in this common wealth."

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto. Ordered, That mr. Todd inform the senate thereof.

FRIDAY, JANUARY 1, 1819.

The petition of the trustees of the Hopkins academy, praying that a law may pass authorising them to raise by way of lottery a sum of money in aid of the donation of lands made that institution by the state, for the purpose of enabling them to erect the necessary buildings, and procure suitable apparatus.

Was received, read and referred to a select committee of messrs. Givens, J. Johnston, Duncan (of Davies) Sharp and Hardin, giving said committee leave to report thereon by bill

or otherwise.

On the motion of mr. Carter,

Ordered, That the select committee to whom was referred a petition of the citizens of Bracken county, praying the removal of their seat of justice, be discharged from a further consideration thereof; and that the same be referred to the committee of propositions and grievances.

Mr. M'Millan from the committee of propositions and griev-

ances, made the following report, viz.

The committee of propositions and grievances, have according to order had under consideration the petition of Daniel A. Brewer; the hill for the benefit of Daniel H. Brewer, and the memorial of James Maccoun, to them referred; and have come to the following resolution thereupon, to wit:

Resolved, That the said petition, be rejected; and that the

said bill ought not to pass.

Which being twice read was concurred in.

The question was then put on engrossing said bill and reading it a third time, which was decided in the negative, and so the said bill was rejected.

A message from the lieutenant and acting governor by mr.

Waggener: Mr. Speaker,

The acting governor did on this day approve and sign an enrolled bill which originated in this house, entitled " an act to amend the act establishing independent banks in this commonwealth."

And then he withdrew.

Ordered. That mr. Barr inform the senate thereof. Leave was given to bring in the following bills:

On the motion of mr. Smith-1. A bill for the benefit of Ecuy Hall.

On the motion of mr. Barr-2. A bill further to regulate the proceedings of trustees of towns.

On the motion of mr. Dallam-3. A bill to amend the mi-

litia laws of this commonwealth.

On the motion of mr. Scott—4. A bill to repeal an act entitled of an act for the improvement of internal navigation," approved January 28th, 1818.

By mr. Stratton-5. A bill to amend the occupying claim-

ant law in this commonwealth.

Messrs. Smith, M'Millan and Booker, were appointed a committee to prepare and bring in the first; messrs. Barr, Crittenden, Todd, Pope and Kennedy, the second; messrs. Dallam, Kennedy, M'Millan, Robinson and J. Johnston, the third; messrs. Scott, A. Butler, Hanson and Haynes, the fourth; and messrs. Stratton, Chinn, Barr and T. Ward, the fifth.

The following bills were reported from the several commit-

tees appointed to prepare and bring in the same, viz.

By mr. Sharp from the committee of propositions and grievances—1. A bill to authorise William and James Newton to build a dam and water, grist and saw-mill on Rough creek in Ohio county.

By mr. Smith-2. A bill to alter and amend the law con-

cerning usury.

By mr. Pope—3. Abill authorising the appointment of port wardens for the county of Jefferson, and prescribing their duties.

By mr. Hunter-4. A bill concerning the marriage of Mil-

ton Gray.

By mr. M'Kee from the committee of caims—5. A bill authorising the payment of a sum of money due by the com-

monwealth to John Hunter.

By mr. Hardin from the committee for courts of justice as unfinished business of the last session—6. A bill more effectually to provide for the recovery of certain claims against the county courts of this commonwealth.

By mr. Barr-7. A bill further to regulate the proceedings

of the county court of Fayette.

By mr. Lockett—8. A bill for the benefit of the heirs of Henry Garrard, deceased.

By mr. Givens-9. A bill for the relief of David Wood-

And by mr. Smith-10. A bill for the benefit of Hetty Hall.

Which bills were severally received and read the first

time, and ordered to be read a second time.

Ordered, That the public printers forthwith print 150 copof the second and sixth bills for the use of the members of this house.

Mr. Howard read and laid on the table the following reso-

lution, viz.

Resolved, That a committee of three from the senate and six from the house of representatives, be appointed to take into consideration so much of the lieutenant governor's message as relates to re-chartering the bank of Kentucky, and report whether in their opinion the said bank ought to be re-chartered the present session or not.

The house took up the amendment proposed by the senate to the resolutions from this house relative to opening a road from Mountsterling to the Virginia line by way of Prestons-

burg.

Which being twice read was concurred in.

Ordered, That mr. Lackey inform the senate thereof.

A message from the senate by mr. Wood:

Mr. Speaker,

The senate have passed a bill entitled "an act allowing further time to survey head-right claims."

In which they request the concurrence of this house.

And then he withdrew.

A message from the acting governor by mr. Waggener : Mr. Speaker;

I am directed by the acting governor to lay before this house a message in writing.

And then he withdrew.

The house took up the bill to incorporate the trustees of the college of Kentucky at Danville, and the amendments proposed thereto.

The third section of said bill was again read as follows, viz. § 3 Be it further enacted, That the before named trustees shall have power to fill all vacancies in their own body, appoint a chairman of their board, and to appoint a president and professors, and such other officers and servants under them as they may deem necessary and proper; to hold their offices under such rules and regulations as the said trustees may prescribe; and to make, allow and pay to the president, professors and other officers and servants, such reasonable compensation for their services as to the said trustees may seem right and proper. And the said trustees shall have fully power and authority to make by-laws, rules and regulations.

for the better government of said college as they may judge expedient, and the same to annul, alter or amend at pleasure: Provided said by-laws, rules or regulations be not repugnant to the laws of this commonwealth; nor inconsistent with the principles laid down in this act as fundamental laws for the government of said college. And the said trustees shall have full power and authority to do and perform any lawful matter and thing, which they may deem conducive to the good of the institution, and consistent with the state of the funds thereof.

The amendment proposed to said section, which proposes to expunge therefrom the words printed in *italics*, and in lieu thereof, to insert the following, was also twice read, viz.

"Continue in office for and during the term of two years, and shall have power to fill any vacancy or vacancies, which may happen in said office of trustee by death, resignation or otherwise and shall also have power to."

And the question being taken on agreeing to said amend-

ment, it was decided in the affirmative.

The year and nays being required thereon by messrs. A.

Butler and J. Green, were as follows, viz.

Yeas—Mr. Speaker, messrs. Baker, Barbour, Barr, A. Butler, Carter, Chinn, Crittenden, Dallam, Dollerhide, Duncan(of Daviess) Forrest, L. Green, Givens, Hanson, Haynes, Hickman, Hunter, Jennings, J. T. Johnson, B. Johnson, B. Logan, Megowan, Miller, Morton, Mullens, Noland, O'Bannon, Scott, Stratton, Z. Taylor, J. Taylor, Thomas, Todd, Turner, G. Wall, W. Wall, T. Ward, and Wickliffe—39.

Nays—Messrs. Allen, Barnett, Barrett, Berry, Booker, Breathitt, Caldwell, Coombs, Cunningham, Davis, Duncan (of Lincoln) Gaither, George, J. Green, Hardin, Harrison, Howard, J. Johnston, Jones, Kennedy, Knight, Lockett, Love, J. Logan, M'Kee, M'Closky, M'Millan, Parsons, Pope, Phelps, Prather, Ray, Robinson, Sharp, Smith, Stockton, J. Ward, and Worthington—38.

And then the house adjourned.

SATURDAY, JANUARY 2, 1819.

A message from the senate by mr. Lee their secretary:

Mr. Speaker.

the fact that and another facilities in the

The senate have received official information that the lieutenant governor did on the 22d instant, approve and sign enrolled bills which originated in the senate, of the following titles:

An act further to regulate the debt due the commonwealth for the sale of vacant lands; and an act to prevent the making of entries and surveys, and the emanation of grants for certain lands in this commonwealth.

They disagree to a resolution from this house requiring the joint committee appointed to examine the public offices to

report by a certain day.

They concur in a resolution from this house requiring the joint committee appointed to examine the bank of Kentucky to make certain inquiries, and for other purposes, with amendments.

They have passed a bill which originated in this house, entitled "an act to amend an act concerning certain trespasses on land," with an amendment. And they have passed a bill entitled "an act to amend the law concerning the turnpike and wilderness road."

In which amendments and bill they request the concurrence

of this house.

And then he withdrew.

The petition of the pilots at Louisville for piloting boats over the falls of Ohio, praying that the prices now allowed by law for piloting boats and other vessels over the falls, may be increased.

Was received, read and referred to a select committee of messrs. Pope, Barbour and Beall, giving said committee leave to report thereon by bill or otherwise.

Mr. Todd from the joint committee of enrolments, reported that the committee had examined enrolled bills and a resolu-

tion of the following titles:

An act to extend the line of Ohio county; an act to amend an act entitled "an act to establish and regulate the town of Campbellsville in Green county; and a resolution relative to opening a road from Mountsterling to the Virginia line by way of Prestonsburg.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Todd inform the senate thereof.

Mr. Baker presented the petition of sundry citizens of Nicholas county, praying that the several laws on the subject of occupying claimants of land, may be amended.

Which was received, read and referred to the committee appointed to prepare and bring in a bill on that subject.

Ordered, That messrs. Baker, Hickman and Baylor, be added to said committee.

Mr. Hardin from the committee for courts of justice, to whom was referred a bill from the senate, entitled "an act for the relief of the administrators and heirs of John Stapp, deceased," reported said bill without amendment, and made

the following report thereon, viz.

The committee for courts of justice have according to order had under consideration a bill from the senate, entitled "an act for the relief of the administrators and heirs of John Stapp, deceased," and have come to the following resolution thereupon, to wit:

Resolved, That the said bill ought not to pass.
Which being twice read, was laid on the table.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By mr. T. Ward—1. A bill to establish the true line be-

tween the counties of Floyd and Greenup.

By mr. Todd-2. A bill to incorporate the broadway bridge company.

By mr. Hardin-3. A bill for the benefit of the Kentucky

Seminary, and for other purposes.

And by mr. Stratton—4. A bill to amend the act establishing a turnpike on the road leading from the mouth of Big Sandy through the counties of Greenup and Lewis in a direction to Flemingsburg to Joseph Watkins's.

Which bills were severally received, and read the first time, and the first, second and fourth ordered to be read a

second time.

And the question being taken on reading the third bill a second time, it passed in the negative, and so the said bill was rejected.

A message from the lieutenant governor by mr. Wag-

gener : Mr. Speaker.

The lieutenant governor did on this day approve and sign enrolled bills and a resolution which originated in this house,

of the following titles:

An act to extend the line of Ohio county; an act to amend an act entitled "an act to establish and regulate the town of Campbellsville in Green county;" and a resolution relative to the road leading from Mountsterling to the Virginia line by way of Prestonsburg.

And then he withdrew.

Ordered, That mr. Barr inform the senate thereof.

A message from the senate by mr. Lee their secretary:

Mr. Speaker,

The senate have passed a bill which originated in this house, entitled "an act erecting an election precinct in Nelson county." And they have adopted a resolution appointing a joint committee to examine the penitentiary.

In which resolution they request the concurrence of this

house.

And then he withdrew.

Mr. Phelps from the select committee to whom was referred a bill from the senate, entitled "an act to release the state's claim to salt water in certain cases, reported the same without amendment.

Ordered, That the said bill be read a third time on Mon-

day next.

On motion,

Ordered, That mr. Howard be added to the committee to whom was referred so much of the lieutenant governor's message as relates to re-chartering the bank of Kentucky.

The house took up a resolution from the senate, appoint-

ing a joint committee to examine the penitentiary.

Which was twice read, and concurred in as follows, to

IN SENATE, January 2, 1819.

Resolved by the general assembly of the commonwealth of Kentucky, That a joint committee of three members from the senate and six from the house of representatives be appointed to examine into, and report the state of the penitentiary, and of the accounts thereof.

Extract, &c.—Att.

WILLIS A. LEE, C. S.

Ordered, That messrs. Todd, Dallam, Love, Rennick, Gaither and George, be the said committee on the part of this house; and that mr. Todd inform the senate thereof.

Mr. Harrison moved the following resolution, to wit:

Resolved, That the Rev. Mr. Holly be invited to perform divine service in the representative chamber on to-morrow, and that a committee of two be appointed to wait on him for that pursose.

Which being twice read, was concurred in: And messrs. Harrison and Crittenden appointed a committee conforma-

bly thereto.

Mr. T. Ward read and laid on the table the following resolution:

Resolved by the general assembly of the commonwealth of Kentucky, That they will on the ___day of January, proceed to the election of public printers and treasurer, and president and directors of the bank of Kentucky on the part of the commonwealth.

Mr. Booker moved for leave to bring in a bill to remove the site of the Transylvania University to the town of-

in the county of

It was then moved and seconded, to lay the bill presented on the motion aforesaid, on the table until the 1st day of March next.

A division of the question was called for, and the question was first put on laying on the table, which was decided in the affirmative.

The question was then put on laying on the table until the 1st March next, which was decided in the affirmative.

The year and nays being required thereon by messrs. J.

Taylor and Booker, were as follows, viz.

Yeas-Mr. Speaker, messrs. Baker, Barbour, Barrett, Berry, Breathitt, A. Butler, Caldwell, Carter, Chinn, Crittenden, Dallam, Duncan (of Daviess) Givens, Hanson, Harrison, Hickman, Howard, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Lackey, Lockett, M'Millan, Morton, Mullens, O'-Bannon, Parsons, Pope, Stockton, Stratton, J. Taylor, G. Wall, W. Wall, T. Ward, J. Ward, Wickliffe, Williams and Worthington-40.

Nays-Messrs. Allen, Barnett, Booker, Coombs, Cunningham, Davis, Dollerhide, Duncan (of Lincoln) Forrest, Gaither, George, L. Green, J. Green, Hardin, Haynes, Jones, Kennedy, Knight, Love, Megowan, M'Kee, M'Closky, Miller, Noland, Phelps, Prather, Ray, Robinson, Sharp, Smith, Z. Taylor, Todd, Turner and Underwood-34.

A message from the senate by mr. Barry :

Mr. Speaker,

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The senate have passed a bill entitled "an act concerning the sergeant of the court of appeals."

In which they request the concurrence of this house.

And then he withdrew.

On motion,

Ordered, That the second reading of a bill to prescribe the proceedings against banks and other corporations that may forfeit their charters; and of a bill to amend the proceedings in civil suits against banks and other corporations, be dispensed with; and that the same be committed to a committee of the whole house on the state of the commonwealth for Tuesday next.

Mr. Booker moved the following resolution, to wit:

Resolved, That a committee of nine be raised to inquire into the expediency of increasing the endowments of the Transylvania University, and make such amendments to its charter as may be found advisable, with leave to report by bill or otherwise.

Which being twice read, The house then adjourned.

MONDAY, JANUARY, 4, 1819.

The petition of sundry citizens of Christian county, praying that a part of said county may be stricken off, and added to the county of Caldwell.

And the petition of sundry citizens of the counties of Hardin and Barren, praying that a new county may be formed

out of a part of each.

Were severally received, read and referred; the former to the committee of propositions and grievances; and the latter to a select committee of messrs. Rennick, Underwood, Miller, Coombs and A. Butler, giving said committee leave to report thereon by bill or otherwise.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By mr. Hardin—1. A bill to amend the laws incorporating independent banks.

By mr. Sharp-2. A bill imposing a tax on all banking

houses not incorporated by this commonwealth.

And by mr. Underwood—3. A bill to authorise the extension of the prison bounds.

Which bills were severally received and read the first

time, and ordered to be read a second time.

And thereupon the rule of the house and second reading of the first and second bills being dispensed, the same were referred to a committee of the whole house, the former for Thursday, and the latter for Wednesday next.

Ordered, That the public printers forthwith print 200 copies of the first and second bills for the use of the members of

this house.

Mr. A. Butler from the committee of privileges and elections, made the following report, to wit: The committee of privileges and elections have according to order had under consideration the returns from the sheriffs of the several counties within this commonwealth, and having examined the same, have agreed to the following report, to wit:

It appears to this committee that the following gentlemen were returned as duly elected to serve as members of the house of representatives for the present general assembly.

to wit:

From the county of Adair, Aathan Gaither and Zacariah Taylor.

From the county of Allen, Daniel M. Jones. From the county of Boone, Benjamin Johnson. From the county of Butler, Benjamin Davis. From the county of Bath, Thomas D. Owings.

From the county of Barren, Joseph R. Underwood and Henry Rennick.

From the county of Bullitt, Welford Lee.

From the county of Breckenridge, Edward R. Chew.

From the county of Bracken, Solomon Carter.

From the county of Bourbon, John L. Hickman, George W. Baylor and William B. Chinn.

From the county of Casey, James Allen.
From the county of Campbell, Elijah Grant.
From the county of Caldwell, John Mercer.

From the county of Clarke, William M'Millan and Samuel Hanson.

From the county of Christian, James Breathitt, Nathan S. Dallam and William Jennings.

From the county of Cumberland, Samuel Scott.

From the county of Clay, James Love.

From the county of Daviess, Benjamin Duncan.

From the county of Estill, Jesse Noland.

From the county of Fayette, Joseph C. Breckenridge, Thomas T. Barr and Thomas T. Crittenden.

From the county of Floyd, Alexander Lackey.

From the county of Fleming, John D. Stockton and William B. O'Bannon.

From the county of Franklin, Charles S. Todd and Martin D. Hardin.

From the county of Grayson, John Cunningham. From the county of Greenup, Thompson Ward.

From the county of Garrard, Samuel M Kee and Thomas Kennedy.

From the county of Green, Liberty Green and Robert Barrett.

From the county of Gallatin, William O. Butler.

From the county of Hardin, Adin Coombs and Christopher Miller.

From the county of Harrison, William K. Wall and Joseph Taylor.

From the county of Henry, Edward George and Joseph

Thomas.

From the counties of Henderson and Union, Francis-Lockett.

From the county of Hopkins, Eleazer Givens.

From the county of Jefferson, Richard Barbour and Alexander Pope.

From the county of Jessamine, William Caldwell.

From the counties of Knox and Whitley, Joseph Parsons, From the county of Lincoln, Benjamin Duncan and John-Green.

From the county of Logan, William J. Morton and Anthony Butler.

From the county of Livingston, Christopher Haynes.

From the county of Lewis, Aaron Stratton.

From the county of Mercer, Edward Worthington and James Ray.

From the county of Madison, Thomas C. Howard, Joseph Barnett and Josiah Phelps.

From the county of Mason, James W. Coburn and James-Ward.

From the county of Muhlenburg, Moses Wickliffe.

From the county of Montgomery, James S. Megowan and Samuel L. Williams.

From the county of Nelson, Samuel T. Beall, Joseph M'-Closky and Burr Harrison.

From the county of Nicholas, John C. Baker. From the county of Ohio, James Johnston.

From the county of Pulaski, Thomas Dollerhide and Gideon Prather.

From the county of Pendleton, Stephen Mullens.

From the county of Rockcastle, William Smith.

From the county of Scott, John T. Johnson and Garrett Wall.

From the county of Shelby, George B. Knight, John Logan and Benjamin Logan.

From the county of Woodford, Willis Field and William S. Hunter.

From the county of Warren, Solomon P. Sharp and Cormelius Turner.

From the county of Wayne, George Berry.

From the county of Washington, Fleming Robinson, William B. Booker and Richard Forrest.

A bill from the senate, entitled "an act concerning the sergeant of the court of appeals."

Was read the first time, and ordered to be read a second

And thereupon the rule of the house and second and third readings of said bill being dispensed with:

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That mr. Hardin inform the senate thereof. A bill from the senate, entitled "an act further to indulge

the settlers on the lands acquired by the treaty of Tellico to pay the state price on their claims."

Was read a second time, amended, and ordered to be read a third time.

And thereupon the rule of the house being dispensed with, the said bill as amended, was read a third time.

The question was then put on the passage of said bill, which was decided in the affirmative.

The year and nays being required thereon by messrs.

Howard and Parsons, were as follows, viz.

Yeas-Mr. Speaker, messrs. Allen, Barbour, Barr, Barrett, Berry, Breathitt, A. Butler, Carter, Chew, Coburn, Coombs, Crittenden, Dallam, Davis. Dollerhide. Duncan (of Daviess) Forrest, Gaither, George, Grant, L. Green, J. Green, Givens, Hardin, Harrison, Haynes, Jennings, J. Johnston, Jones, Knight, Lee. Lockett, Love. B. Logan, Mercer, M'-Kee, Morton, Mullens, Parsons, Prather, Kay, Rennick, Robinson, Scott, Sharp, Smith, Stratton, Z. Taylor, Todd, Turner, T. Ward, J. Ward and Wickliffe-54.

Nays-Messrs. Baker, Barnett, Booker, W. O. Butler, Caldwell, Chinn, Duncan (of Lincoln) Hanson, Hickman, Howard, Kennedy, Lackey, Megowan, M'Closky, M'Millan, Miller, Noland, O'Bannon, Pope, Phelps, J. Taylor, Thomas, W. Wall, Williams and Worthington-25.

Ordered, That mr. Dollerhide inform the senate thereof, and request their concurrence in said amendment.

A bill from the senate, entitled " an act allowing further time to survey head-right claims "

Was read the first time, and ordered to be read a second time.

And thereupon the rule of the house being dispensed with, the said bill was ordered to be read a third time to-morrow.

Mr. M'Kee moved the following resolution, to wit: Resolved, That the Rev. mr. Horace Holly be invited to deliver a lecture on education in the hall of the house of representatives on Tuesday evening the 5th instant.

Which being twice read was adopted: And messrs. M'-Kee and Sharp appointed a committee pursuant thereto.

Mr. Sharp read and laid on the table the following resolution, to wit:

Resolved. That every day at 11 o'clook, the speaker shall direct the orders of the day to be proceeded in, in preference to all other business which shall be moved or introduced; and the orders of the day shall then be proceeded in until they are gone through, unless by a vote of the house they shall be postponed.

Mr. T. Ward, moved the following resolution, viz.

Resolved, That a committee be appointed on the part of this house to wait on the Rev. mr. Holly, and request of him a copy of the sermon he delivered in the representative chamber on Sunday the 3d of January, 1819, for the purpose of having the same published.

Which being twice read, was adopted: And messrs. T. Ward, Coburn, Barr, Chew and Crittenden, appointed a

committee pursuant thereto.

A message from the senate by mr. Lee their secretary :

Mr. Speaker.

The senate have passed a bill which originated in this house entitled "an act to amend an act entitled an act to amend the several acts concerning the importation and emancipation of slaves," approved February 8th, 1818, with an amendment. And they have passed bills of the following titles:

An act establishing certain inspections; an act for the relief of the sheriffs of Adair, Green and Pendleton counties.

In which amendment and bills they request the concurrence of this house.

And then he withdrew.

The house proceeded to consider a bill to incorporate the trustees of the Kentucky College at Danville, and the amendments proposed thereto.

Mr. Forrest from the majority on the question by which the second amendment proposed to said bill on Friday last was adopted, moved for a re-consideration of said vote.

And the question being taken on granting such re-consideration, it was decided in the affirmative.

The question was then again put on agreeing to the proposed amendment, which was decided in the negative.

The yeas and nays being required thereon by messrs. A.

Butler and T. Ward, were as follows, to wit:

Yeas—Messrs. Baker, Baylor, A. Butler, Carter, Chinn, Dallam, Duncan (of Daviess) L. Green, Hauson, Haynes, Hickman, Jennings, Lackey, B. Logan, Megowan, Mullens, O'Bannon, Scott. Stratton, Z. Taylor, J. Taylor, Thomas, Todd, Turner, W. Wall, T. Ward, Wickliffe and Williams—28.

Nays—Mr. Speaker, messrs, Barbour, Barnett, Barrett, Beall, Berry, Booker, Breathitt, W. O. Butler, Caldwell, Chew, Coombs, Crittenden, Cunninghan Duncan (of Lincoln) Forrest, Gaither, George, Grant, J. Green, Givens, Hardin, Harrison, Howard, J. Johnston, Jones. Kennedy Knight, Lee, Lockett, Love, J. Logan, Mercer, M'Kee, M'Closky, M'Millan, Miller, Noland, Parsons, Pope, Phelps, Prather, Ray, Rennick, Robinson, Sharp, Smith, Stockton, Underwood, J. Ward and Worthington—51.

The third amendment which proposed to add to said bill the following as an additional section, was also twice read as

follows, viz.

§ 4. That the legislature of this commonwealth, shall by a joint vote of both bouses, elect every two years —— trustees to preside over said college and its concerns; and should it at any time hereafter happen that no election of trustees is made as contemplated by this section, the trustees then in office shall continue in office, and possess the same powers to fill vacancies as given by the third section of this act, until other trustees shall be elected by the legislature.

And the question being taken on agreeing thereto, it was

decided in the negative.

The year and nays being required thereon by messrs.

M'Millan and Howard, were as follows, viz.

Yeas—Messrs. Baker, Barr, Baylor, A. Butler, Carter, Chinn, Dallam, Dollerhide, Hanson, Haynes, Hickman, Jennings, B. Logan, Megowan, Morton, Mullens, O'Bannon, Scott, Stratton, Z. Taylor, J. Taylor, Thomas, Todd, Turner, W. Wall, T. Ward, Wickliffe and Williams—28.

Nays—Mr. Speaker, mesers. Allen, Barbour, Barnett, Barrett, Beall, Booker, Breathitt, W. O. Butler, Caldwell, Chew, Coombs, Crittenden, Cunningham, Davis, Duncan (of Lincola) Forrest, Gaither, George, Grant, L. Green, J. Green, Givens, Hardin, Harrison, Howard, J. Johnston, Jones, Kennedy, Knight, Lackey, Lee, Lockett, Love, J.

Logan, Mercer, M'Kee, M'Millan, Miller, Noland, Parsons, Pope, Phelps, Prather, Ray, Rennick, Robinson, Sharp, Smith, Stockton, Underwood J. Ward, and Worthington —54.

Mr. J. Taylor then moved to attach to said bill the follow-

ing proviso.

"Nothing herein contained shall be so construed as to take away the right which this legislature possess, to repeal, alter or amend this charter."

And the question being taken on agreeing thereto, it was

decided in the affirmative.

The yeas and nays being required thereon by messrs.

Barr and J. Taylor, were as follows, viz.

Yeas—Messrs. Allen, Baker, Barbour, Barr, Barrett, Baylor, Berry, Booker, W. Butler, A. Butler, Carter, Chew, Chinn, Crittenden, Dallam, Davis, Bollerhide, Duncan (of Daviess) Forrest, L. Green, J. Green, Givens, Hanson, Hardin, Harrison, Haynes, Hickman, Jennings, J. Johnston, Jones, Kennedy, Knight, Lackey, Lee, Lockett, B. Logan, Megowan, M'Closky, M'Millan, Miller, Mullens, O'Bannon, Parsons, Prather, Ray, Sharp, Smith, Z. Taylor, J. Taylor, Thomas, Todd, Turner W. Wall, T. Ward, Wickliffe, Williams and Worthington—57.

Nays—Mr. Speaker, messrs. Barnett, Beall, Breathitt, Caldwell, Coombs, Duncan (of Lincoln) Gaither, George, Grant, Howard, J. Logan, Mercer, M'Kee, Noland, Pope, Phelps, Rennick, Robinson, Stockton, Stratton, Underwood

and J. Ward-23.

The said bill, as amended, was then ordered to be engrossed and read a third time to-morrow.

And then the house adjourned.

TUESDAY, JANUARY 5, 1819.

The petition of sundry citizens of Shelby county, praying that a law may pass authorising Jacob Yoder to build a dam across Brashears' creek, for the purpose of erecting a water grist mill, and other water works in Shelby county.

And the petition of Jacob Swope, counter thereto.

Were severally received, read and referred to the committee of propositions and grievances.

Mr. M'Millan from the committee of propositions and grievances, made the following report, viz.

The committee of propositions and grievances have according to order, had under consideration sundry petitions to them referred, and have come to the following resolutions thereupon, to wit:

Resolved, That the petition of sundry citizens of Bracken county, praying for the removal of the seat of justice for said

county, be rejected.

Resolved, That the petition of sundry citizens of the town of Madisonville, praying that a law may pass establishing an alley in said town, be rejected.

Resolved, That the petition of sundry citizens of Christian county, praying that a part of said county may be added to

Caldwell county, is reasonable.

Which being twice read was concurred in.

Ordered, That the said committee prepare and bring in a bill pursuant to the latter resolution.

A message from the senate by mr. Lee their secretary :

Mr. Speaker.

The senate concur in the amendments proposed by this house to the bill from the senate, entitled "an act for the relief of Charles Willett, sen. Patrick Gilmore and others, with

They have passed bills which originated in this house, of

the following titles:

An act for the benefit of the widow of Peter Bodine, deceased, and for other purposes; an act for the benefit of Nathaniel Tucker; and an act for the benefit of Nancy Godby, Patsey Lawrence and others, with amendments to the latter bill.

And they have passed hills of the following titles:

An act for the relief of Patty Bohannon; an act for the benefit of Margaret Swim; and an act to creet an election precinct in Estill county.

In which amendments and bills they request the concurrence

of this house.

And then he withdrew.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By mr. Hardin-1. A bill to amend and continue in force for a longer period the charter of the bank of Kentucky.

And by mr. Underwood-2. A bill to provide for surveying and carrying into grant entries made south and west of the Tennessee river, and for other purposes.

Which bills were severally received and read the first

time, and ordered to be read a second time.

And thereupon the rule of the house and second reading of the first bill being dispensed with, the same was committed to a committee of the whole house on the state of the commonwealth for Monday next.

Ordered, That the public printers forthwith print 200 copies of said bills for the use of the members of this house.

Mr. Scott from the select committee appointed for that purpose, reported a bill to repeal an act entitled " an act for the improvement of internal navigation.

Which was received and read the firt time as follows, viz.

A BILL to repeal an act entitled "an act for the improvement of internal navigation, approved January 28th, 1818.

BE it enacted by the general assembly of the commonwealth of Kentucky, That the act entitled "an act for the improvement of internal navigation," approved 28th January, 1818, shall be, and the same is hereby repealed: Provided, however, that nothing herein contained shall affect the accountability of the commissioners, as provided for in said act, for any monies drawn from the public treasury of this commonwealth, in pursuance of the provisions of said act.

And the question being taken on reading the said bill a second time, it passed in the negative, and so the said bill was

rejected.

The year and nays being required thereon by messrs.

Sharp and Barr, were as follows, viz.

Yeas—Messrs, Allen, Berry, Breathitt, A. Butler, Chew, Coombs, Cunningham, Dallam, Dollerhide, Duncan (of Daviess) Gaither, George, Grant, J. Green, Hanson, Haynes, Jennings, J. T. Johnson, Jones Kennedy, Knight, Lee, Lockett, J. Logan, Miller, Morton, Noland, O'Bannon, Pope, Phelps, Prather, Ray, Rennick, Scott, Stockton, Z. Taylor and Thomas—37.

Nays—Mr. Speaker, messrs. Baker, Barbour, Barnett, Barr, Barrett, Baylor, Beall, Booker, W. O. Butler, Caldwell, Carter, Chinn, Coburn, Crittenden, Davis, Duncan (of Lincoln) Field, Forrest, L. Green, Givens, Hardin, Harrison, Hickman, Howard, Hunter, J. Johnston, B. Johnson, Lackey, Love, B. Logan, Megowan, M'Kee, M'Closky, M'Millan, Mullens, Parsons, Robinson, Sharp, Smith, Stratton, J. Laylor, Todd, Turner, Underwood, G. Wall, W. Well, T. Vard, J. Ward, Wickliffe, Williams and Worthington—32.

A message from the senate by mr. Fleming : Mr. Speaker.

The senate have passed a bill entitled "an act vesting certain powers in the trusteees of Flemingsburg and Le-

In which they request the concurrence of this house.

And then he withdrew.

Mr. M'Kee from the committee appointed to wait on the Rev. mr. Holly, and request him to deliver to this house on this evening a lecture on the subject of education, reported that the committee had performed that duty, and had received for an answer, that he would with pleasure comply with the invitation of this house on this evening at 6 o'clock, P. M.

Mr. T. Ward from the committee appointed to wait on the Rev. mr. Holly, and request a copy of his sermon delivered on Sunday last, for the purpose of publication, reported that the committee had discharged that duty, and received for answer, that he would communicate to the committee his answer in writing.

Leave was given to bring in the following bills:

On the motion of mr. A. Butler-1. A bill to declare Mud-

dy river a navigable stream, and for other purposes.

On the motion of mr. Pope-2. A bill authorising the county court of Jefferson county to appoint auctioneers in the towns of Louisville, Shippingport and Portland, and prescribing their duties.

On the motion of mr. Chew-3. A bill regulating the fees

of inspectors of tobacco in this commonwealth.

On the motion of mr. Smith-4. A bill to declare Rockcastle river navigable up to the junction of the north & south fork of said river, and for other purposes.

On the motion of mr. Hardin-5. A bill to appropriate a

fund for literary purposes.

And on the motion of mr. M'Millan-6. A bill authorising the notes of the several independent banks in this commonwealth to be received in the payment of revenue tax and

county levy on certain conditions.

Messrs. A. Butler, Morton, Sharp and Davis, were appointed a committee to prepare and bring in the first; messrs. Pope, Barbour and Harrison, the second; messrs. Chew, Barbour, L. Green, Howard and M'Millan, the third; messrs. Smith, Dollerhide and J. Green, the fourth; the committee appointed to take into consideration so much of the lieutenant governor's message as relates to education, the fifth; and messrs. M'Millan, Hanson, Kennedy, J. Logars and Sharp, the sixth.

Ordered, That mr. Hardin be added to the committee ap-

pointed to prepare and bring in the fifth bill.

The house then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth; mr. M'Millan in the chair; which being resumed by mr. speaker, mr. M'Millan reported that the committee had according to order, had underconsideration a bill to prescribe the proceedings against banks and other corporations that may forfeit their charters, and had gone through the same with sundry amendments, which he handed in at the clerk's table.

And which being read, were concurred in.

Ordered, That the said bill as amended, be engrossed and read a third time to-morrow.

And then the house adjourned.

WEDNESDAY, JANUARY 6, 1819.

Mr. Love presented the report of Daniel Garrard, one of the commissioners appointed under the act of the last session, for the improvement of internal navigation.

Which was received and read as follows, to wit:

To the honorable the General Assembly of the Commonwealth of

Kentucky.

The undersigned, one of the commissioners appointed by the last legislature for superintending the improvement of

the Kentucky river, makes the following report :

The commissioners of the Kentucky river met in Frankfort on the —— day of May last, entered into bond and security as the law requires, and agreed to lay off the river into three precincts. That part of the river above the mouth of Jack's creek in Madison county, including all its navigable branches, was allotted to the undersigned. I commenced on the 5th August with 37 hands, part of them at the Goose creek salt-works, by removing the fish-dams, and cutting all the timber that was thought in the way down to the mouth of Goose creek, being a distance of thirty miles; removing in that distance, twenty-five fish-dams. There were two hundred dollars laid out, and under the immediate direction of Col. John Gilbert, on the Red-bird fork, which mouths with Goose creek and forms the south fork of the Kentucky. There are salt-works about thirty miles up the Red-

COLUMN TO SERVICE STREET

Bird from its mouth, owned principally by Col. Gilbert, but Teased by mr. Wm. Allen Deas of Charleston, a gentleman of capital & enterprise; and there being no waggon road to said works, I have regretted since that I had not furnished more funds for that stream. From the junction of Goose creek and Red-bird down for three miles is a very fine river, where commences what is called the narrows, which continue for nearly seven miles, and I have no hesitation in saying it is the worst stream for that distance that is navigated in the western country with flat boats. Near the head of the narrows there is such a crooked place in the river, that I found it necessary to build a dam across the stream of logs, brush and rock, and open a channel through a rocky bar for 200 yards, 60 feet wide. The rock taken out were thrown out on either side, and formed a dam from four to six feet high, and have by that means made the river straight and perfectly safe at that place. About one mile below this place was much the worst place in the river. The salt makers some years ago, gave 500 dollars for making this place passable with boats. There was a stone dam then made across the river, which was entirely fallen down from the great rapidity of the water, there being about six feet fall in 100 yards. I there found it necessary to build a firm dam of timber, brush and rock, four feet high and twelve feet wide, and deepen the channel; which I am of opinion will stand and make the navigation good. Just below this place there has been a saw-mill; erected the dam is about four feet high entirely across the river-it has never been an injury to boats descending heretofore; but I am of opinion from the improvement made, that it would be now impassable at that place, when boats might go in all others. The person who erected the mill got killed before it was entirely finished, and has left a very poor widow and children, which induced me to let it stand until it should prove an injury. There were just above and below this mill in the distance of three miles, 100 sounds of powder expended in blowing the rocks. From the foot of the narrows to the mouth of the south fork the river is generally good, it being a distance from the mouth of Goose creek of about 50 miles, there being nothing to do but to cut some timber and grub up the growth on the sand-bars. From the mouth of the south fork to Jack's creek, the river is generally good. From the great swell in the river in the spring of 1816, there was a great many trees fallen in the river, which were all cut up that were thought in the way; and

at the different ware-houses on the river, the trees were

grubbed up that were in the way of landing boats.

There has very little salt descended the river for the last year. There were about 5000 bushels prepared last spring; but there being no tide in the river during the summer, it has been all sold at the works. From the low price of salt two years ago, part of the works were discontinued, which has been the cause of the great scarcity of salt in that quarter. There is preparation now making to make more salt for the present year. The probable quantity for boating, after supplying the ordinary demands at the works, will be annually from 10 to 15000 bushels. The difference between water and land transportation will make from 5000 to 7500 dollars annually.

I found it impossible to do any thing on the north or middle forks of the Kentucky river the last year. There is a little salt making on the north fork of the Kentucky, and high up the middle fork also. This last stream is much the

finest for navigation.

I have drawn out of the public treasury 2500 dollars, out of which I have expended 2242 dollars and 81 cents, and have returned into the treasury the residue, 257 dollars 19 cents.

Which is respectfully submitted.

DANIEL GARRARD.

Ordered, That the said report be referred to the committee appointed to take under consideration so much of the lieutenant governor's message as relates to the improvement of internal navigation.

And that the public printers forthwith print 200 copies

thereof for the use of the members of this house.

The petition of Edwin Hord, representing that Thomas Coghill made an entry for a tract of land on Licking, and obtained a patent thereon, and that the same descended to his heirs at law, of whom the petitioner is agent; that a subsequent entry has been made, and patent obtained thereon, which interferes with the said entry and survey of said Coghill; that the said petitioner as agent for said heirs commenced ejectment against the adverse claimants, obtained judgments, which have been affirmed by the court of appeals; that the judgments at law were enjoined; but that a final decree has been obtained by the heirs of said Coghill, which has been also affirmed by the court of appeals, for said land; but that the demise laid in the declarations in ejectment has expired, whereby he is deprived of the benefit of the judg-

ments and decree aforesaid; and he is unable to obtain possession under the existing laws; and praying legislative inter-

nosition and relief.

The petition of Joseph C. Belt of Fleming county, representing that William Marshall of Virginia conveyed to Nathaniel Foster, a tract of land in said county, 150 acres of which was condemned for the town of Flemingsburg, and conveyed by said Foster to the trustees of said town; that 56 acres, part of said 150 acres, was conveyed by the trustees to Thomas Dougherty, and by him to the petitioner, together with 44 acres adjoining. Since which time, it is ascertained that others were interested with said Marshall in said land, who have never conveyed their title; and doubts are entertained whether the condemnation of said land for a town is valid; and praying that a law may pass legalizing the proceedings of the county court of Fleming condemning said land, and that the land owned by the petitioner may not hereafter be considered as belonging to said town.

The petition of sundry inhabitants of Gallatin county, counter to those presented at a former day of the session, praying that a new county may be formed out of a part of the counties of Franklin, Scott, Pendleton and Gallatin

counties.

The petition of Mary M'Daniel and Samuel P. Bowdry, administrators of the estate of Jennings M'Daniel, deceased; praying that a law may pass authorising a sale of part of the real estate of said decedant, and the proceeds applied to the payment of his debts.

The petition of sundry citizens of Barren county, remonstrating against the proposal to build a bridge across Big

Barren river near the town of Bowling-Green.

And the petition of sundry citizens of Barren and Cumberland counties, praying that the proposition to create a new county out of a part of each of said counties, be rejected.

Were severally received, read, and the first, second, third, fourth and fifth referred; the first and fourth to the committee for courts of justice; the third and fifth to the committee of propositions and grievances; and the second to a select committee of messrs. Stockton, O'Bannon, Baker and T. Ward, giving said committee leave to report thereon by bill or otherwise.

Ordered, That the sixth petition be laid on the table. Ordered, That the second reading of a bill from the senate, entitled "an act to incorporate the Bowling Green bridge company," be dispensed with, and that the same (to-

gether with the several petitions counter thereto) be referred

to the committee of propositions and grievances.

Mr. Underwood from the select committee to whom was referred a bill concerning commonwealth's attornies, reported the same with an amendment.

Which being twice read was disagreed to.

Ordered, That the said bill be engrossed and read a third time to-morrow.

A message from the senate by mr. Churchill:

Mr. Speaker,

The senate have passed a bill entitled "an act authorising a lottery for the purpose of paving the streets of Middletown, and completing the Hope academy thererein."

In which bill they request the concurrence of this house.

And then he withdrew.

Mr. Jones from the select committee appointed for that purpose, reported a bill to continue in force an act entitled " an act to suspend law process in certain cases," approved February 9th, 1816.

Which was received, and read the first time, and ordered to be read a second time.

Leave was given to bring in the following bills:

On the motion of mr. Howard—1. A bill to extend the term of the Madison circuit court, and for other purposes.

On the motion of mr. Chew—2. A bill to amend an act entitled "an act for appropriating the vacant lands in this commonwealth," approved February 6th, 1815.

And on the motion of mr. Kennedy-3. A bill for the re-

lief of certain surveyors of land in this commonwealth.

Messrs. Howard, Barnett, Phelps, Love and Hanson, were appointed a committee to prepare and bring in the first; messrs. Chew, Chinn, Caldwell and Sharp, the second; and messrs. Kennedy, Smith, Forrest, Stratton and M'Kee, the third.

The house then according to the standing order of the day resolved itself into a committee of the whole house on the state of the commonwealth; mr. Kennedy in the chair; which being resumed by mr. speaker, mr. Kennedy reported that the committee had according to order, had under consideration a bill imposing a tax on all banking houses not incorporated by this commonwealth; but not having time to go through the same, had instructed him to ask for leave to sit again on to-morrow; which being granted:

The house then adjourned.

THURSDAY, JANUARY 7, 1819.

The speaker laid before the house a memorial from Christopher Dicken, representing that he has constructed a machine that will be of essential use in improving the navigable streams in this commonwealth; and praying that a committee may be appointed to examine the same.

And mr. Lockett presented the petition of Benjamin Berry and Peter Casey, praying that a law may pass to establish a town on their lands in Union county, at the mouth of

Highland creek.

Which petitions were received, read and referred; the first to a select committee of messrs. W. K. Wall, Barbour, Rennick, Worthington, Jennings, Kennedy and M'Kee; and the second to a select committee of messrs. Lockett, Dallam, Haynes and Crittenden, giving said committees leave to report thereon by bills or otherwise.

A message from the senate by mr. Given :

Mr. Speaker,

The senate have passed bills of the following titles:

An act for the benefit of the heirs of Christopher Hardwick; and an act for the benefit of James Elder.

In which they request the concurrence of this house.

And then he withdrew,

Mr. Barbour read and laid on the table the following reso-

lutions, viz.

Resolved by the general assembly of the commonwealth of Kentucky, That the governor, secretary of state and keeper of the penitentiary for the time being, be and they are hereby authorised and requested to have made at the penitentiary a tomb-stone with suitable inscriptions, to commemorate the patriotic and invaluable services of the late General George Rogers Clark, and cause the same to be placed over his remains.

Resolved, That in bestowing this last testimonial of respect to the remains of General George Rogers Clark, they feel the deepest sense of gratitude and admiration for him whose military conduct has greatly aided in securing for his country an important and large extent of territory already populous and rapidly improving, affording all the blessings of life to a civilized and increasing population.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By mr. Rennick-1. A bill for the formation of a new county out of the counties of Barren and Hardin.

By mr. Hunter-2. A bill concerning the town of Versailles.

By mr. Dallam-3. A bill to amend the militia laws of this commonwealth.

By mr. Stratton-4. A bill to amend the occupying claimant law.

And by mr. Chew-5. A bill regulating the fees of tobacco inspectors in this commonwealth.

Which bills were severally received and read the first time, and the first, second, third and fifth ordered to be read a second time.

And the question being taken on reading the fourth bill a second time, it passed in the affirmative.

The yeas and nays being required thereon by messrs.

Baylor and Stratton, were as follows, viz.

Yeas—Messrs. Allen, Baker, Barnett, Barrett, Baylor, Beall, Berry, Breathitt, Carter, Chew, Chinn, Coombs, Crittenden, Cunningham, Dallam, Davis. Duncan (of Daviess) Forrest, George, Grant, Hanson, Haynes, Hickman, Howard, Jennings. J. Johnston, Jones, Kennedy, Lackey, Lee, B. Logan, Megowan, Mercer, M'Closky, Miller, Morton, Parsons, Ray, Robinson, Scott, Sharp, Stockton, Stratton, Thomas, Turner, G. Wall, W. Wall, T. Ward and Williams—49.

Nays—Mr. Speaker, messrs. Barbour, Booker, W. O. Butler, Caldwell, Coburn, Dollerbide, Duncan (of Lincoln) Field, Gaither, L. Green, J. Green, Harrison, Hunter, J. T. Johnson, Knight, Lockett, Love, J. Logan, M'Kee, M'Millan, Noland, O'Bannon, Owings, Pope, Phelps, Prather. Rennick, Smith, Z. Taylor, J. Taylor, Underwood, J. Ward, Wickliffe and Worthington—35.

Ordered, That the public printers forthwith print 200 copies of the fourth bill for the use of the members of this house.

A bill from the senate, entitled " an act for the relief of the sheriffs of Adair. Green and Pendleton counties.

Was read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second reading thereof being dispensed with, and the same being amended, the said lill was ordered to be read a third time.

nd the rac of the house and third reading of said bill be-

esoived, That the said bill, as amended, do pass.

Ordered, That mr. Baylor inform the senate thereof, and

request their concurrence in the said amendments.

The house took up a resolution laid on the table on the 2d instant by mr. T. Ward, fixing on a day on which to elect a treasurer, public printer and a president and directors of the bank of Kentucky on the part of the state.

Which being twice read, and the blank therein filled with

the 13th, was adopted.

Ordered, That mr. T. Ward carry the said resolution to the senate, and request their concurrence.

Leave was given to bring in the following bills :

On the motion of mr. Carter-1. A bill to enlarge the powers of the trustees of Augusta.

And on the motion of mr. Barnett-2. A bill to amend the act to suppress riots, routs and unlawful assemblies of the

people.

Messrs. Carter, Baylor, Coburn and J. T. Johnson, were appointed a committee to prepare and bring in the former; and messrs. Barnett, M'Kee, M'Millan and Underwood, the latter.

The house then according to the standing order of the day resolved itself into a committee of the whole house on the state of the commonwealth; mr. Kennedy in the chair; which being resumed by mr. speaker, mr. Kennedy reported that the committee had according to order, had under consideration a bill imposing a tax on all banking houses not incorporated by this commonwealth; but not having time to go through the same, had instructed him to ask for leave to sit again on to-morrow; which being obtained;

The house then adjourned.

FRIDAY, JANUARY 8, 1819.

The petition of John Arnold of Franklin county, representing that he made an entry for 1000 acres of land lying in the present county of Franklin, which he caused to be surveyed and recorded; but that the plat and certificate of survey has been lost or mislaid, and that the time allowed by law for returning plats and certificates of survey has expired; and praying that a law may pass authorising the emanation of a grant upon a certified copy thereof.

Was received, read and referred to the committee for

courts of justice.

The speaker laid before the house a letter from Robert Alexander, Esq. president of the bank of Kentucky, containing the names of those gentlemen elected directors of that institution on the part of the stockholders.

Which was then read as follows, viz.

BANK OF KENTUCKY, Jan. 7, 1819.

STR—I take the liberty of informing the house of representatives through you, that the shareholders of the bank of Kentucky met agreeably to law on Monday last, and elected on their part the following six gentlemen directors of that institution for the ensuing year, viz.

John Brown, Daniel Weisiger, Alexander J. Mitchell,

John Pope, Nathaniel Hart and Benjamin Taylor.

I am, respectfully,

Sir, your most obedient servant.

ROBT. ALEXANDER, Pres't.

The Honorable Joseph C. Breckenridge, Speaker of the House of Representatives.

Mr. M'Millan from the committee of propositions and griev-

ances, made the following report, viz.

The committee of propositions and grievances have according to order, had under consideration the petition of sundry citizens of the counties of Franklin, Scott, Pendleton and Gallatin; praying for the formation of a new county out of a part of each of said counties, to them referred; and have come to the following resolution thereupon, to wit:

Resolved, That notice that the said petition would be presented, was not given according to law, and that the committee be discharged from the further consideration of the

same.

Which being twice read, and amended by substituting inlieu of the resolution reported by the committee, the follow-

ing resolution was adopted, viz.

Resolved, That the said petition and papers be referred back to the same committee with instructions to proceed to the consideration of the merits of the petition.

A message from the senate by mr. Lee their secretary:

Mr. Speaker,

The senate concur in the amendments proposed by this house to the bill from the senate, entitled "an act for the relief of the sheriffs of Adair, Green and Pendleton counties." They disagree to the amendment proposed by this house to a bill from the senate, entitled "an act further to indulge the settlers on the lands acquired by the treaty of Tellico to pay

SECTION STREET, SECTION STREET, SECTION STREET, SECTION STREET, SECTION STREET, SECTION STREET, SECTION STREET,

the state price on their claims." They concur in a resolution from this house fixing on a day on which to elect a treasurer, public printer, and a president and directors of the bank of Kentucky on the part of the state.

And they have passed a bill entitled "an act for the relief of the administrators of Reubin Uunderwood and the heirs of

Spencer Gill."

In which bill they request the concurrence of this house. And then he withdrew.

Mr. M'Kee moved the following resolution, to wit:

Resolved by the house of representatives of the common-wealth of Kentucky, That the acting governor be, and he is hereby requested to procure the artillery company of Frankfort to fire a federal salute on the public square, in commemoration of the victory at New-Orleans on the 8th of January, 1815.

Resolved, That in repeating our wishes to commemorate the unparalleled victory at New-Orleans on the 8th of January, 1815, we cherish the gratitude and admiration we feel

for our brave countrymen who achieved it.

Which being twice read, was concurred in: And messrs. M'Kee and W. O. Butler appointed a committee pursuant thereto.

Mr. W. Wall from the select committee appointed for that

purpose, made the following report, viz.

The committee appointed to examine the model of a machine for removing rocks in our navigable streams, invented by Christopher Dicken, from the county of Daviess of this state, do report that we have inspected the model shewn to us by the inventor; and from its simplicity of structure, and operations upon the water, which we witnessed, there is a probability of its being a useful machine.

This committee being impressed with the importance of fostering every attention of our citizens to internal improvement and useful inventions, deem it expedient to give the inventor every opportunity of testing the utility of his invention, and to that end, recommend the following resolution,

to wit :

Resolved, That an act ought to pass for the benefit of said Christopher Dicken, pursuant to his petition accompanying this report.

W. K. WALL, Chairman.

To the Honorable the Legislature of Kentucky.

Gentlemen—Should you be satisfied from the report of your committee, that the machine which I claim the credit

of having invented, is calculated to effect the desirable objects for which it was intended, all your petitioner desires at this time of your honorable body, is that a small appropriation may be made to your petitioner to enable him to carry his machine into complete operation, and that commissioners be appointed by your honorable body, to make such contracts with your petitioner for clearing the rocks out of the Vienna and other falls on Green river, as they may deem just and proper.

Your petitioner is willing to give his bond to whomsoever you may authorise to receive it, should his invention be found upon experiment not to have the desired effect, conditioned to refund the amount of any appropriations you may be disposed to make for his benefit on the present occasion.

And your petitioner will ever pray, &c.

CHRISTOPHER DICKEN.

The resolution reported by said committee being twice read, was concurred in.

Ordered, That said committee prepare and bring in a bill

pursuant thereto.

Mr. M'Kee from the select committee appointed to wait on the lieutenant governor and request him to cause a federal salute to be fired on this day by the artillery company of this place, reported that the committee had discharged that duty, and received for answer that a federal salute would be fired on the public square at 12 o'clock.

The following bills were reported from the several commit-

tees appointed to prepare and bring in the same, viz.

By mr. M'Millan from the committee of propositions and grievances—1. A bill adding part of Christian county to the county of Caldwell.

By mr. Carter-2. A bill to enlarge the powers of the

trustees of Augusta in Bracken county.

By mr. Barnett-3. A bill to amend the law to suppress

riots, routs and unlawful assemblies of the people.

And by mr. L. Green—4. A bill to amend an act authorising county courts to discontinue public roads, approved February 3d, 1818.

Which bills were severally received and read the first

time, and ordered to be read a second time.

Mr. Barr moved for leave to bring in a bill to provide for firing a federal salute on the 8th day of January annually.

And then the house adjourned.

SATURDAY, JANUARY 9, 1819.

The petition of the heirs of Charles Searcy, deceased, praying that a law may pass authorising the sale of a part of the real estate of said decedant for the payment of his

And the petition of Joseph M'Murtry and Micajah Harrison, praying that they may be permitted to build a dam across the north fork of the Kentucky river on their land, for the purpose of promoting their views in building sawmills on said land and stream.

Were severally received, read and referred; the former to a select committee of messrs. Phelps, Barnett, Howard and Hanson; and the latter to the committee of propositions and

grievances.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By mr. M'Millan-1. A bill requiring the notes of the several independent banks to be received in payment of revenue tax and county levy on certain conditions.

By mr. Givens-2. A bill for the relief of William Dem-

mg.

And by mr. Jones -3. A bill further to regulate billiard tables and tippling houses.

Which bills were severally received and read the first

time, and ordered to be read a second time.

Mr. J. Taylor from the select committee to whom was referred a bill to alter the mode of laying county levy, reported the same with an amendment in lieu of the original bill.

Which being twice read, was amended to read as follows,

to wit:

[Strike out the original bill after the enacting clause, and insert.

That the several county courts in this commonwealth shall hereafter in making assessments and laying county levies for the support of the county, be governed therein by the following rules and regulations, and no other, viz.

Each free male above the age of twenty-one years, who is at present subject to the payment of a poll tax, or who may hereafter become subject to the same, shall be liable to pay the sum of and no more, in lieu of the said poll tax or tythe, any law, usage or custom to the contrary notwithstanding : Provided nevertheless, that if the whole sum so to be levied, be more than the county may require for the disbursments of the year, then a lesser sum may

be imposed by the county court than _____.

on each tytheable, as above provided to be collected, prove insufficient to meet the annual expences of the county, then it shall be the duty of the justices making such county levy in each of the counties throughout this commonwealth, to assess and levy upon the property of individuals living within their county and subject to taxation within the same, such further and other sum as may be necessary for county purposes; and which sum shall be raised by a tax laid upon property in the same manner and governed by the same principles that govern the apportionment of the revenue taxes of this commonwealth.

§ 3. And in order that the same may be properly appor-

tioned.

Be it further enacted, That it shall be the duty of the clerk of each county court to add up and certify to the sheriff annually on or before the first day of March, the total value of all property returned by the commissioners, together with a certificate of the amount to be levied; whereupon it shall be the duty of the sheriff in making out his book for the collection of taxes, to estimate the rate per centum of the county levy, and calculate the true amount due from each tytheable, which he shall note down in his tax book, in a column for that purpose; for which services the clerk and sheriff shall severally receive a sum to be adjudged of by the annual court of claims, and not exceeding twenty dollars, to be paid out of the county levy. All acts or parts of acts coming within the purview of this act are hereby repealed.

It was then moved and seconded to fill the blanks in said amendment with the sum of "one dollar" as the amount to be paid by each free white mail over the age of twenty-one

years for county levy.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by messrs.

J. Johnston and Worthington, were as follows, viz.

Yeas—Messrs. Baker, Baylor, Berry, Booker, Cunningham, Field, J. Green, Harrison, Hickman, Jennings, B. Johnson, Lee, Love, M'Kee, Phelps, Prather, Smith, Stratton and T. Ward—19.

Nays-Mr. Speaker, messrs. Allen, Barbour, Barnett, Barrett, Beall, Breathitt. W. O. Butler, A. Butler, Carter, Coburn, Coombs, Crittenden, Dallam, Dollerhide, Duncan

(of Daviess) Forrest, Gaither, Grant, L. Green, Givens, Hanson, Hardin, Haynes, Howard, Hunter, J. Johnston, J. T. Johnson, Jones, Kennedy, Lockett, M'Closky, M'Millan, Miller, Morton, Mullens, Noland, Owings, Ray, Sharp, Z. Taylor, J. Taylor, Turner, J. Ward, Wickliffe, Williams and Worthington—45.

Ordered, That said bill and amendments be laid on the

table.

Leave was given to bring in the following bills :

On the motion of mr. Underwood-1. A bill to create ad-

ditional judicial districts.

On the motion of mr. J. T. Johnson—2. A bill to establish a turnpike on the road leading from Georgetown to Cincinnati.

On the motion of mr. Stratton—3. A bill for the better securing of certain officers' fees, and for other purposes.

On the motion of mr. T. Ward—4. A bill further to regulate the disposition of the records of the supreme court of the district of Kentucky.

And on the motion of mr. Breathitt-5. A bill to amend an act entitled "an act authorising certain lotteries," ap-

proved 28th January, 1818.

Messrs. Underwood, Booker, J. Green, Hanson and Pazsons, were appointed a committee to prepare and bring in the first; messrs. J. T. Johnson, W. K. Wall, B. Johnson and Grant, the second; messrs. Stratton, T. Ward and Stockton, the third; messrs. T. Ward, Pope and M'Kee, the fourth; and messrs. Breathitt, J. Taylor and Booker, the fifth.

Ordered, That the title presented by mr. Barr on yesterday, on the motion to obtain leave to bring in a bill to provide for firing a federal salute on the 8th day of January annually, be laid on the table.

A message from the senate by mr. Lee their secretary :

Mr. Speaker,

The senate have passed a bill from this house, entitled " are act for the relief of Edward Maxey and John Wilson."

And they have passed bills of the following titles:
An act for the relief of the surveyors of Jefferson and Garrard counties; and an act to incorporate the Lexington

Athenaum.

In which bills they request the concurrence of this house.

And then he withdrew.

Bills from the senate of the following titles:

1. An act for the benefit of Daniel Trabue; 2. An act to release the state's claim to salt water in certain cases; and 3. An act allowing further time to survey head-right claims.

Were severally read a third time.

Resolved, That the third bill do pass, and that the tifle thereof be amended to read " an act allowing further time to survey certain claims."

And the question being taken on the passage of the first and second bills, it passed in the negative, and so the said

bills were rejected.

Ordered, That mr. M'Kee inform the senate thereof, and request their concurrence in the amendment proposed to the third bill.

Engrossed bills of the following titles:

1. An act for the benefit of the heirs of Adam Woods, deceased; 2. An act to prescribe the proceedings against banks and other corporations that may forfeit their charters; 3. An act to incorporate the trustees of the College of Kentucky at Danville; and 4. An act concerning commonwealth's attornies.

Were severally read a third time, and an engrossed clause

added to the second by way of ryder.

Resolved, That the first, third and fourth bills do pass; that the titles of the first and fourth bills be as aforesaid, and that of the third be amended to read " an act to incorporate the trustees of the centre college of Kentucky at Danville."

And the question being taken on the passage of the second

bill, it was decided in the affirmative.

The year and nays being required thereon by messrs. W.

Wall and Baylor, were as follows, to wit :

Yeas—Mr. Speaker, messrs. Allen. Baker, Barbour, Barnett, Barr, Barrett, Baylor, Beall, Berry, Booker, Breathitt, W. O. Butler, Carter, Coburn, Coombs, Crittenden, Cunningham, Dallam, Davis, Dollerbide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, Gaither, Grant, L. Green, J. Green, Givens Hanson, Hardin, Harrison, Haynes, Hickman, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Jones, Kennedy, Lackey, Lee, Lockett, Love, Mcgowan, Mercer, M'Kee, M'Closky, M'Millan, Miller, Mullens, Noland, O'Bannon, Parsons, Pope, Phelps, Prather, Ray, Rennick, Scott, Sharp, Smith, Stockton, Stratton, Z. Taylor, J. Taylor, Todd, Turner, Underwood, T. Ward, J. Ward, Wickliffe, Williams and Worthington—74.

Nay-W. Wall.

Ordered. That mr. Hickman carry the first; mr. Hardin the second; mr. J. Green the third; and mr. M'Millan the fourth hills to the senate, and request their concurrence.

Ordered. That a bill to amend the several acts regulating proceedings in suits at law and in chancery, be laid on the

table.

The following bills were severally read a second time:
1. A bill for the benefit of the devisees of John Curd, deceased, and the heirs of Price Curd; 2. A bill authorising Walter Preston to convey certain lands within this commonwealth; 3. A bill declaring Chapline's fork of Salt river, and Rough creek navigable streams; and 4. A bill to regulate the fees of the justices of the peace of this commonwealth.

The first, second and fourth were severally ordered to be engrossed and read a third time; the fourth on Monday next; and the third was referred to the committee who prepared the same, together with messrs. J. Johnston, Harrison and Beall.

And thereupon the rule of the house and third reading of the first and second bills being dispensed with, and the same being engrossed:

Resolved, That the said bills do pass, and that the titles

thereof be as aforesaid.

Ordered, That mr. Crittenden carry the first; and mr. Knight the second bills to the senate, and request their concurrence.

And then the house adjourned.

MONDAY, JANUARY, 11, 1819.

The speaker laid before the house the memorial of the Kentucky Abolition Society, praying that a law may pass to prevent the practice of kidnapping of free people of colour

and running them out of the state.

Mr. Breathitt presented the petition of sundry citizens of Christian county, praying that a law may pass repealing in part an act of the general assembly declaring Little river a navigable stream, and that permission may be given to build mills thereon.

Mr. J. Green presented the petition of the heirs and representatives of Joseph Laswell, deceased, and Jacob Myers; representing that Jacob Myers made an entry for 200 acres of land now in Rockcastle county, which he caused to be

surveyed and the survey returned to the register's office; that a sale was made by said Myers to Laswell for a part of said land; that the plat and certificate of survey has been lost or mislaid; and praying that grants may issue to said heirs for the lands aforesaid.

And mr. Smith presented certificates from the heirs of said Laswell and Myers, representing that the petition aforesaid,

is not made on their application and instance.

And mr. J. Ward presented the additional petition of Edwin Hord, on the subject of the case presented by him in

his petition to this house during the present session.

Which petitions were severally received and read; the first and fourth were referred to the committee for courts of justice; the second to a select committee of messrs. Breathitt, Dallam and Jennings, giving said committee leave to report by bill or otherwise.

And the question being taken on referring the third petition to the proper committee, it was decided in the negative,

and so the said petition was rejected.

Mr. Beall from the joint committee of enrolments, reported that the committee had examined enrolled bills and a resolu-

tion of the following titles:

An act for the benefit of Nathaniel Tucker; an act erecting an election precinct in Nelson county; an act for the benefit of the widow of Peter Bodine, deceased, and for other purposes; and a resolution fixing on a day on which to elect a treasurer, public printer and a president and directors of the bank of Kentucky on the part of the state.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto. Ordered, That mr. Beall inform the senate thereof.

A bill for the erection of a new county out of the counties of Logan, Warren and Allen, was read a second time, amended, and ordered to be engrossed and read a third time.

And thereupon the rule of the house and third reading of said bill being dispensed with, and the samd being engros-

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That mr. A. Butler carry the same to the senate,

and request their concurrence.

Mr. M'Millan from the majority on the vote by which a bill from the senate, entitled "an act to release the state's claim to salt water in certain cases" was rejected, moved for a re-consideration of said vote.

And the question being taken on granting such re-consideration, it was decided in the affirmative.

The question was then again put on the passage of said

bill, upon which it passed in the affirmative.

Ordered, That mr. M'Millan inform the senate thereof.

Mr. T. Ward presented the petition of sundry citizens of Greenup county, praying that sundry amendments may be made to the occupying claimant law.

Which was received, read and laid on the table,

On the motion of mr. Underwood,

Ordered, That leave be given to bring in a bill to establish the town of Tompkinsville; and that messrs. Underwood, Rennick and Williams, be appointed a committee to prepare and bring in the same.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By mr. Stockton-1. A bill for the benefit of Joseph C. Belt.

By mr. T. Ward—2. A bill further to regulate the disposition of the records of the supreme court for the district of Kentucky.

By mr. M'Closky-3. A bill to establish the town of

Bloomfield in Nelson county.

By mr. Breathitt—4. A bill for the benefit of Isaac Matthews; and 5. A bill to amend an act entitled "an act authorising certain lotteries."

Which bills were severally received and read the first

time, and ordered to be read a second time.

Mr. Baylor moved the following resolution, viz.

Resolved by the house of representatives of the common-wealth of Kentucky, That the clerk of this house be authorised to employ additional engrossing and enrolling clerks whenever he may deem it necessary.

Which being twice read, was adopted.

The house then according to the standing order of the day resolved itself into a committee of the whole house on the state of the commonwealth; mr. Kennedy in the chair; and after some time spent therein, the committee rose, and mr. Kennedy reported that the committee had according to order, had under consideration a bill to a tax all banks not incorporated by the laws of this commonwealth; but not having time to go through the same, had instructed him to ask for leave to sit again on tomorrow; which being granted:

The house then adjourned.

TUESDAY, JANUARY 12, 1819.

Mr. Hunter from the joint committee of enrolments, report ed that the committee had examined enrolled bills of the following titles :

An act allowing further time to survey certain claims: an act for the relief of the sheriffs of this commonwealth; and an act concerning the sergeant of the court of appeals.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto. Ordered, That mr. Hunter inform the senate thereof.

Mr. M'Millan from the committee of propositions and grievances, made the following report, viz.

The committee of propositions and grievances have according to order, had under consideration petitions to them referred; and have come to the following resolutions thereupon, to wit:

Resolved, That the petition of sundry citizens of the counties of Franklin. Scott, Pendleton and Gallatin, praying for the formation of a new county out of a part of each of said counties, is reasonable.

Resolved, That the petition of sundry citizens of Casey county, praying that a law may pass authorising the emanation of a grant to the infant children of John Strange, deceased, for one hundred acres of land, is reasonable.

Which being twice read, the first resolution was laid on

the table, and the second concurred in.

Ordered, That said committee prepare and bring in a bill

pursuant to the second resolution.

Mr. M'Millan from the same committee, also reported a bill from the senate, entitled "an act to incorporate the Bowling-Green bridge company," without amendment.

Ordered, That the said bill be read a third time.

A message from the senate by mr. Harrison: Mr. Speaker,

The senate have adopted a memorial and resolution respecting Christopher Miller.

In which they request the concurrence of this house.

And then he withdrew.

A message from the lieutenant governor by mr. Waggener:

Mr. Speaker.

The lieutenant governor did on yesterday approve and sign enrolled bills and a resolution which originated in this house, of the following titles :

An act for the benefit of the widow of Peter Bodine, deceased, and for other purposes; an act for the benefit of National Tucker; an act creeting an election precinct in Nelson county; and a resolution fixing on a day on which to elect a treasure, public printer, and a president and directors of the bank of Kennety on the part of the state.

And then he withdrew.

Ordered, That mr. Beall inform the senate thereof.

A message from the senate by mr. Wickliff:

Mr. Speaker,

The senate have passed a bill entitled " an act to incorporate the Beech fork navigation company."

In which they request the concurrence of this house.

And then he withdrew.

The house took up a resolution laid on the table on the 7th instant, by mr. Barbour, authorising the erection of a tombstone over the remains of the late General George Rogers Clark.

Which was twice read, amended to read as follows, and

concurred in.

Resolved by the general assembly of the commonwealth of Kentucky, That the acting governor be, and he is hereby authorised and requested to procure and cause to be erected at the public expense, tomb-stones with suitable inscriptions, over the remains of the late generals George Rigers Clark and Charles Scott, in testimony of the profound emotions of gratitude with which the people of this commonwealth are impressed for the illustrious deeds and distinguished patriotism of those veterans of the revolution; who by their gallant services in the early settlement of Kentucky, secured to themselves the appellation of "Fathers of the wester country."

Ordered, That mr. Barbour carry the said resolution to the

senate, and request their concurrence.

The house then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth; mr. Kennedy in the chair; which being resumed by mr. speaker, mr. Kennedy reported that the committee had according to order had under consideration a bill imposing a tax on all banking houses not incorporated by this commonwealth; but not having time to go through the same, had instructed him to ask leave to sit again on to-morrow; which was granted.

On the motion of mr. Underwood,
Ordered, That leave be given to bring in a bill to authorise the issue of circulating certificates of stock by the bank of Kentucky: And that messrs. Underwood, Sharp. M'Kee, Harrison, Hickman and Booker, be appointed a committee to prepare and bring in the same.

And then the house aujourned.

WEDNESDAY, JANUARY 13, 1819.

The speaker being absent, confined to his room from indisposition, the house proceeded to the election of a speaker pro tempore.

Mr. Lockett nominated mr. Burr Harrison, and mr. Baylor nominated mr. Martin D. Hardin, as being either proper persons to fill that office; and upon taking the vote, it stood thus;

For mr. Martin D. Hardin—Messrs. Baker, Barnett, Barr, Barrett, Baylor, Berry, Breathitt, Caldwell, Chinn, Crittenden, Dallam, Davis, Dollerhide, Field, J. Green, Givens, Hickman, Howard, Hunter, J. T. Johnson, Knight, Lackey, J. Logan, B. Logan, M'Millan, O'Bannon, Owings, Phelps, Prather, Ray, Smith, Stockton, Stratton, J. Taylor, Tedd, Turner, Underwood, G. Wall, W. Wall, T. Ward, Wickliffe and Williams—42.

For mr. Burr Harrison—Messrs. Allen, Barbour, Beall, Booker, W. O. Butler, A. Butler, Carter, Coburn, Coombs, Cunningham, Duncan (of Daviess) Duncan (of Lincoln) Forrest, Gaither, George, Grant, L. Green, Haynes, J. Johnston, B. Johnson, Jones, Kennedy, Lockett, Love, Mercer. M'Closky, Miller, Morton, Mullens, Noland, Pope, Rennick, Robinson, Scott, Z. Taylor, J. Ward, and Worthington—37.

A majority of the votes appearing in favor of mr. Martin D. Hardin, he was thereupon declared duly elected speaker of this house pro tempore, during the absence of the speaker; and was conducted to the chair, from whence he made acknowledgments for the honor conferred, and recommended the observance and preservation of good order and decorum.

Ordered, That mr. M'Millan inform the senate of said

The house took up a resolution from the senate, concerning Christopher Miller, which was then taken up, twice read, and unanimously concurred in as follows, to wit: IN SENATE, January 11, 1819.

The legislature of Kentucky cannot view the present happy state and condition of their country, as its respects her being secured from foreign invasion, without looking back, and inquiring how, and by what means she has attained this high, dignified and honorable station: In doing which, she discovers herself justly indebted in gratitude to many worthy men who are no more; but the eye falls upon one, Christopher Miller, who is yet living, and who has never been noticed by the general government; to whom they conceive she is greatly indebted, not only upon the principle of rewarding real merit, but upon the score of justice, founded on a promise made by a man on the part of the United States, on whose promise Christopher Miller had a right to rely.

In the year 1783, Christopher Miller, of Hardin county, in the state of Kentucky, was taken prisoner by the Indians. who was then about 15 years of age; he remained a prisoner with them till the year 1794, when he was taken from them by the spies of general Wayne. No sconer did he find himself in the midst of his brothers of America, than that spark of love of country, which had been almost extinguished by savage habits, burst into a flame, and he tendered his services. to the general, as one of his spies. In this character he acted for some time, going into the environs of the towns of the enemy, taking prisoners from his old masters, and bringing them to his general. At length it became necessary to send another flag to the enemy, several having been sent and none The eyes of the board of officers were turned to Miller; he was applied to by the general, with an assurance if he would undertake the task, and should succeed in the undertaking, he should receive from his government an independent fortune. The agreement is made-the embassador sets out-the anxious eyes of his countrymen follow him, but scarcely a gleam of hope is left them that he will ever return: But to their great joy. he performs the undertaking-finishes the task—effects the objects of his mission, and on the fourth day returns to his general. Peace is concluded-the shedding of human blood is thereby stopped. Wayne is now no more-Miller still lives, but has a family of promising children, is poor, and has never received any compensation for his services. We are told that application was once made to congress for him, but for the want of proof in support of the facts alleged, no allowance was made. The legislature of Kentucky having at their present session members of their own body who know the facts herein stated to be true, have

thought it their duty to interfere in behalf of one of their countrymen; and pray your honorable body to make such provision by law for the said Christopher Miller, as you in

your wisdom may think just.

Resolved by the general assembly of the commonwealth of Kentucky, That the acting governor of Kentucky he requested to transmit copies of the foregoing memorial to each of our senators and representatives from the state of Kentucky in the congress of the United States, and that they be directed to lay the same before congress, and use their best exertions to have it acted upon during the present session.

Adopted unanimously. Extract, &c.—Att.

WILLIS A. LEE, C. S.

Ordered, That mr. Coombs inform the senate thereof. Mr. Lockett presented the petition of John P. Neall, representing that he owned some military lands in this state, which have been stricken off to the state for the non-payment. of taxes; and praying that he may be permitted to redeem them.

Mr. Givens presented the petition of Elizabeth Neall, praying that a law may pass making a donation to her of one hundred acres of land on which she is settled in Hopkins

county.

Mr. Givens also presented the petition of Henry Coffman, representing that he ownes a tract of land in Hopkins county on which he is settled, and on which the three first instalments are paid; but that fie is unable to pay the balance; and praying that the balance of the state price may be remitted, and that a grant may issue to him for said land without any further payment.

Mr. M'Clusky presented the petition of sundry citizens of Nelson county, praying that an election precinct way be es-

tablished in the south part of said county.

Mr. J. Legan presented the memorial of William Littell, representing that he has a just claim against the commonwealth for services rendered in the collection of debts due the state; and praying that an allowance may be made for his services.

Mr. J. Logan also presented the petition of Peter Martin of Shelby county, representing that the turnpike read leading from Frankfort to Shelbyville, is proposed to be taken through his farm in said county, which will prove of great injury to him; and praying that the managers of said turnpike road may be directed to have said road carried in a different direction, so as to avoid his land; or that he may re-

ceive compensation for the injury he may sustain.

Mr. M'Millan presented the petition of sundry citizens of Fayette county, praying that the town of Lexington may be allowed a representation in the legislature separate from the county, and that the county may be laid off into two or more precincts for the purpose of voting at elections.

And mr. Barr presented a petition counter thereto.

Which petitions were severally received and read; the first was committed to a select committee of messrs. Lockett, Underwood, Sharp and Barr; the second and third to a select committee of messrs. Givens, Mercer and Breathitt, giving said committees leave to report thereon by bills or otherwise; the fifth and sixth to the committee of claims; and the seventh and eighth to the committee of propositions and grievances; and the fourth petition (the requisite notice not accompanying the same) was laid on the table.

The following bills were reported from the several commit-

tees appointed to prepare and bring in the same, viz.

By mr. M'Kee from the committee for courts of justice-1. A bill for the benefit of John Woods of Mercer county.

And by mr. Breathitt-2. A bill concerning Little river. Which bills were severally received, and read the first

time, and ordered to be read a second time.

And thereupon the rule of the house and second and third readings of the former bill being dispensed with, and the same being engrossed:

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered, That mr. M'Kee carry the same to the senate, and request their concurrence.

A message from the senate by mr. Fleming :

Mr. Speaker,

I am directed by the senate to inform this house, that they are now ready, by a joint vote, to proceed to the election of a treasurer, public printer, and a president and directors of the bank of Kentucky on the part of the state; that the following gentlemen stand on nomination before the senate for those offices. viz.

For public printers-Moses O. Bledsoe and Kendall and

For treasurer—Samuel South and James I. Miles.

For president of the bank of Kentucky-Robert Alexander. And for directors-Willis A. Lee, George M. Bibb, Oliver G. Waggener, Richard Taylor, William Gerard, John

W. Wooldridge, Robert S. Todd, Achilles Sneed and Peter Dudley.

And then he withdrew.

Mr. Barr read and laid on the table the following resolu-

tion. to wit: Resolved by the senate and house of representatives of the commonwealth of Kentucky, That the election of the president and directors of the bank of Kentucky be postponed until Saturday.

And the question being taken on dispensing with the rule of the house, which requires said resolution to lie on the table one day, it was decided in the negative.

The yeas and nays being required thereon by messrs.

Barr and Smith, were as follows, to wit:

Yeas-Messrs. Barbour, Barr, Caldwell, Carter, Crittenden, Cunningham, Forrest, Kennedy, J. Logan, M'Kee, Owings, Parsons, Pope, Phelps, Smith, Stockton, Todd, G. Wall and Williams-19.

Nays-Mr. Speaker, messrs. Allen, Baker, Barnett, Barrett, Baylor, Beall, Berry, Booker, Breathitt, W. O. Butler, A. Butler, Chew, Chinn, Coburn, Coombs, Dallam, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Field, Gaither, George, Grant, L. Green, J. Green, Givens, Hanson, Harrison, Haynes, Hickman, Howard, Hunter, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Jones, Knight, Lackey, Lee, Lockett, Love, B. Logan, Mercer, M'Ulosky, M'Millan, Miller, Morton, Mullens, Noland, O'Bannon, Prather, Ray, Rennick, Robinson, Scott, Sharp, Stratton Z. Taylor, J. Taylor, Turner, Underwood,

Ordered, That a message be sent to the senate informing them that this house is ready, by a joint vote with that, to proceed to the election of a treasurer, public printers, and president and directors of the bank of Kentucky on the part of the state; and that mr. Booker inform the senate thereof.

W. Wall, T. Ward, J. Ward, Wickliffe and Worthington

The house then proceeded to said election, and after having taken a vote for the several offices between those standing on nomination; messrs. Sharp, M'Kee, Pope, Coburn and Crittenden, were appointed a committee on the part of this house to meet such committee as should be appointed on the part of the senate, to compare the votes and report the state of the same.

The said committee then retired, and after a short time returned, when mr. Sharp reported that the joint vote stood thus :

For public printer,

Messrs. Kendall and Russells.	90
Mr. Moses O. Bledsoe,	30
211. 1110ses O. Dieusoe,	26

For treasurer.

For mr.	Samuel South,	113
	James I. Milles.	6

For president of the bank of Kentucky, mr. Robert Alex-

ander had an unanimous vote.

For directors-Peter Dudley, 102; George M. Bibb, 94; Willis A. Lee, 92; Oliver G. Waggener, 92; Richard Taylor, jun. 86; Robert S. Todd, 83; Achilles Sneed, 65; John

W. Wooldridge, 51; William Gerard, 51.

Whereupon messrs. Kendall and Russells, were declared duly elected public printers; mr. Samuel South, treasurer; mr. Robert Alexander, president; and messrs. Peter Dudley, George M. Bibb, Willis A. Lee, Oliver G. Waggener, Richard Taylor, jun. and Robert S. Todd, directors of the bank of Kentucky for the ensuing year.

Ordered, That the joint committee inform the executive

of this state thereof.

The said committee then retired, and after a short time returned, when mr. Sharp reported that the committee had discharged that duty.

Mr. Pope moved the following resolution, to wit:

Resolved, That 9 o'clock be the standing hour to which this house will adjourn from day to day, for the residue of this session.

Which being twice read was adopted.

A message from the senate by mr. Johnson: Mr. Speaker.

The senate have passed bills of the following titles:

An act further to regulate the town of Germantown in the counties of Mason and Bracken; an act to incorporate the southern college of Kentucky; and an act authorising the Mercer county court to dispose of part of their public ground.

In which bills they request the concurrence of this house.

And then he withdrew.

Resolved, That the report of the committee of propositions and grievances on the petition of sundry citizens of the counties of Franklin, Scott Pendleton and Gallatin, praying for a new county, be adopted; and that a select committee of messrs. J. T. Johnson, G. Wall, Todd and W. O. Butler,

report a bill pursuant thereto.

The house then according to the standing order of the day. resolved itself into a committee of the whole house on the state of the commonwealth; mr. Kennedy in the chair; which being resumed by mr. speaker, mr. Kennedy reported that the committee had according to order had under consideration a bill imposing a tax on all banking houses not incorporated by this commonwealth; and had gone through the same, with an amendment, which he handed in at the clerk's table.

And then the house adjourned,

THURSDAY, JANUARY 14, 1819.

Mr. Wickliffe presented the petition of Walter W. Lovelace of Muhlenberg county, praying that a law may pass divorcing him from his wife Polly, late Polly Edens.

Which was received, read and referred to the committee of

Mr. M'Millan from the committee of propositions and griev-

ances, made the following report, viz.

The committee of propositions and grievances have according to order, had under consideration sundry petitions to them referred; and have come to the following resolutions thereupon, to wit:

Resolved, That the petition of sundry citizens of Shelby county, praying that a law may pass authorising Jacob Yoder to build a mill on Brashears' creek, be rejected.

Resolved, That the petition of sundry citizens of Fayette county, representing that the town of Lexington has a number of qualified voters greater than the ratio now fixed by law; and praying that said town be invested with the privilege of a separate representation; and that said county may be laid off into two or more precincts for the purpose of voting at elections, is reasonable.

Resolved, That the petition of Joseph M'Murtry, and Micajah Harrison, praying that a law may pass authorising them to build a mill on the Kentucky river in Estill county,

is reasonable.

Which being twice read, and amended by expunging from the third resolution the words " is reasonable" and inserting in lieuthereof, the words " be rejected," was concurred inOrdered, That said committee prepare and bring in a bill pursuant to the second resolution.

Mr. Crittenden from the committee for courts of justice,

made the following report, to wit :

The committee for courts of justice, have according to order had under consideration sundry petitions to them referred; and have come to the following resolutions thereupon, to wit:

Resolved, That the petition of Mary M'Daniel and Samuel P. Bowdry, administrators of the estate of Jennings M'Danfel, deceased, praying that a law may pass authorising a sale of part of the real estate of said deceased, and the proceeds

applied to the payment of his debts, be rejected.

Resolved, That the petition of John Arnold, representing that he made an entry for 1000 acres of land, lying now in the county of Franklin, which he caused to be surveyed and recorded; but that the plat and certificate of survey has been lost or mislaid, and the time allowed by law for returning plats and certificates of survey has expired; and praying that a law may pass authorising the registering of a copy of the plat and certificate, and that a grant may issue thereon, is reasonable.

Which being twice read, and the first resolution amended by expanging therefrom the words "be rejected," and inserting in lieu thereof, the words "is reasonable," was concur-

red in.

Ordered, That the said committee prepare and bring in bills pursuant to said resolutions.

Mr. Sharp from the joint committee appointed to examine

the register's office, made the following report, viz.

The joint committee of the senate and house of representatives appointed to examine and report the state of the register's office have performed the duty required, and report as follows:

That they find the grants which issued on surveys transmitted from Virginia, tied in bundles, neatly labelled and numbered up to 278, with an alphabet. Eleven volumes containing the record of said survey, with a complete alphabet. The record of military warrants from the Virginia land office, in two volumes, with alphabets, and in good order. A list of the Virginia treasury warrants, in two volumes. The record of preemption warrants, in one volume: And a volume containing the records of warrants under the proclamation of 1763. The two last have alphabets, and are in good order. Two volumes of records of commissioners' certificates granted

in 1779 and 1780, lately transcribed with alphabets. record of surveys from Lincoln county is in the register's office not bound, nor in a situation to be bound well. The sale books of non-residents' lands for the years 1800, 1. 2 and 4, have a new alphabet—the books are somewhat worn. The books in which the sales of 1805, 6, 7, 8, 9, 10, 11, 12. 13, 14, 15, 16, 17 and 18 are recorded, they find in good order, with alphabets. Two volumes in which surveys have been registered since 1792 in good order, except the binding. The surveys are in bundles, neatly tied up, and labelled and numbered up to 139, with an alphabet. The record of these surveys together with the record of some of the grants are in 14 volumes, with an alphabet, and in good order. The grants issued on treasury warrant surveys since 1792, are recorded in 18 volumes, to which there is an alphabet new and in good order. The surveys upon head-right claims, are registered in 3 volumes, with two alphabets. The head-right plats and certificates of surveys are filed in bundles, neatly tied up and labelled, and numbered up to 288, and recorded in 16 volumes, with two alphabets. Grants issued thereon, recorded in 24 volumes, with alphabets. The land warrants issued under the act of 1800 by this state—the surveys and grants on the same, as also the Tellico surveys and grants, are in 2 volumes—they are registered in 1 volume. The original surveys tied up in bundles, and labelled. One volume containing surveys under the proclamation of 1763, with an alphabet. Two volumes of certificates granted by the commissioners in 1796 and 1798. Anderson's and Croghan's books of entries in good order, with alphabets. The transcript of Lincoln entries in 2 volumes, with a new alphabet. May's entries (so called) transcribed in 5 volumes, also in good order, to which are two alphabets in volumes. One volume of Green's deputy register of surveys, made previous to June, 1792. One volume of relinguishments. A list of Kentucky land office warrants, issued under the act of 1814, and the subsequent act in 1 volume, and the records of said warrants in 3 volumes. Grants issued thereon recorded in 5 volumes; the surveys in 3 volumes, and the originals fied and filed in bundles, and numbered up to 55. The registry in 1 volume, with alphabets. Three volumes in which caveats are recorded, with alphabets. One volume of commissioners' certificates, granted in 1780, with an alphabet.

The committee find the office in the general in good order. They are of opinion the school-house on the public square, is

foo near to the register's office to be occupied as a school-house, and as such annoys the public offices, and proves injurious to the public square, and ought to be removed or appropriated to public purposes, such as an office for the adjutant-general, the public printer, &c. &c.

All which your committee respectfully submit. A message from the senate by mr. Bledsoe:

Mr. Speaker,

The senate have passed bills of the following titles :

An act providing for the appointment and compensation of commonwealth's attornies for the circuit courts; and an act to authorise the trustees of the Presbyterian meeting-house and lot in Paris, to sell the same.

In which bills they request the concurrence of this house.

And then he withdrew.

Mr. Booker from the select committee to whom was referred a bill declaring Chapline's fork of Salt river and Rough creek navigable streams, reported the same with an amendment, which being twice read was disagreed to.

And the said bill being further amended, was with the amendments ordered to be engrossed and read a third time

to-morrow.

A message from the senate by mr. Owens:

Mr. Speaker.

The senate have passed a bill entitled "an act providing for a change of venue in the case of Francis and Sandefur Petty."

In which bills they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Lee their secretary :

Mr. Speaker.

The senate have received official information that the lieutenant governor did on this day approve and sign enrolled bills which originated in that house of the following titles:

An act allowing further time to survey certain claims; an act for the relief of the sheriffs of this commonwealth; and an act concerning the sergeant of the court of appeals.

And they have passed bills of the following titles:

An act for the benefit of the sheriff of Hardin county; an act to regulate the practice of the general court in certain cases; an act for the benefit of Samuel May; an act for the benefit of James Sammons; and an act establishing an academy in the county of Livingston.

In which bills they request the concurrence of this, house.

And then he withdrew.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By mr. M'Millan from the committee of propositions and grievances—1. A bill for the benefit of the heirs of John Strange.

By mr. J. T. Johnson-2. A bill to erect a new county out

of the counties of Franklin, Scott and Pendleton.

And by mr. J. Logan—3. A bill authorising the conveyance of certain lands belonging to the heirs of Mary Boyd and Amy Robinson.

Which bills were severally received and read the first

time, and ordered to be read a second time.

Mr. Howard from the select committee to whom was referred a bill for classing tobacco, reported the same with an amendment, which were laid on the table.

Ordered, That the public printers forthwith print 200 copies of the said amendment for the use of the members of

this house.

The house then took up the amendment proposed by the committee of the whole house on the state of the commonwealth, to a bill imposing a tax on all banking houses not incorporated by this commonwealth.

Which being twice read was concurred in.

The said bill having been further amended:

It was then moved and seconded, to expunge from the first section "sixty thousand dollars" the amount of annual tax to be paid by banking houses not incorporated by the laws of this commonwealth, and to insert in lieu thereof "fifteen thousand dollars."

A division of the question was called for, and the question put on striking, upon which it was decided in the negative,

The yeas and nays being required thereon by messrs.

Barr and Owings, were as follows, to wit:

Yeas—Messrs. Barbour, Barnett, Barr, Caldwell, Duncan (of Lincoln) Field, Howard, Hunter, J. T. Johnson, Kennedy, Lee, Lockett, Megowan, Owings, Pope, Phelps,

Smith, Stockton and Todd-19.

Nays—Mr. Speaker, messrs. Allen, Baker, Barrett, Berry, Booker, Breathitt, A. Butler, Chinn, Coburn, Coombs, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Forrest, Gaither, George, Grant, L. Green, J. Green, Hanson, Harrison, Haynes, Hickman, Jennings, J. Johnston, B. Johnson, Jones, Knight, Lackey, Love, J. Logan, Mercer. M'Kee, M'Closky, M'Millan, Miller, Morton, Mullens, Noland, O'Bannon, Parsons, Prather, Ray,

Rennick, Rebinson, Scott, Sharp, Stratton, Z. Taylor, J. Taylor, Thomas, Turner, Underwood, G. Wall, W. Wall, T. Ward, J. Ward, Wickliffe Williams and Worthington —63.

The said bill, as amended, was then ordered to be engrossed and read a third time to-morrow.

And then the house adjourned.

FRIDAY, JANUARY 15, 1819.

Mr. Lockett presented the petition of Lucy B. Barbour, widow and administratrix of the estate of Philip Barbour, deceased, of Henderson county, praying that a law may pass authorising a sale of part of the real estate of said decedant for the payment of his debts.

Which was received, read, and referred to a select committee of messrs. Lockett, A. Butler and Breathitt, giving said committee leave to report thereon by bill or other-

wise.

Mr. Baylor presented the memorial of the executors and trustees of the last will and testament of Andrew Todd, deceased, and of the guardians of the infant heirs of said decedant, representing that the said Andrew Todd died intestate as to some lots in the town of Flemingsburg, which he had in his lifetime intended for mrs. Edgar, wife of the Rev. John T. Edgar, one of his daughters; and praying that a law may pass authorising them to convey said lots to said Edgar at such price as may be agreed on, to be deducted from the proportion of said Edgar in said decedant's estate.

Which was received, read and referred to the committee

for courts of justice.

On motion,

Ordered, That the committee for courts of justice be discharged from a further consideration of the petition of the justices of the county court of Woodford and others, relative to the will of Francis Peart, deceased; and that leave be given to withdraw the said petition and accompanying documents.

On the motion of mv. Noland,

Ordered, That leave be given to bring in a bill declaring the north fork of Kentucky river navigable up to the mouth of the line fork of said river: And that messrs. Noland, M'Millan, Love and Lackey, be appointed a committee to prepare and bring in the same.

Mr. J. Logan presented the report of one of the agents and superintendants of the turnpike road proposed to be made from Frankfort to Louisville.

Which was received, and read as follows, to wit:

Agreeably to the provisions of the twentieth section of an act of the general assembly of the commonwealth of Kentucky, entitled an act to incorporate the Lexington and Louisville turnpike road company, and to incorporate the Lexington and Maysville turnpike road company, and the act to amend an act incorporating the Lexington and Louisville turnpike road company.

The president and managers of the Shelbyville and Louisville turnpike road company state, that on the 25th day of March, 1818, § 162,000 of the stock being subscribed for, the

company was organised.

That 16 miles of the road has been let, and that the work has been commenced in several places, and is now rapidly progressing.

That a call of five dollars on each share has been made

and received, with few exceptions.

That another call of ten dollars on each share has been made, and is now receiving.

That \$ 9,433 has been expended in the prosecution of the

work.

And that the work is considerably in advance of the pay-

They also state that the road, including contingent expences, will cost § 8,500 per mile; and that the whole distance is twenty-seven miles.

By order of the president and managers.

R. WINCHESTER,

Agent and superintendant S. & L. T. R. Company.

On motion, Ordered, That a bill to provide for a revision of the statute laws of this commonweath, and a bill to alter the mode of taking in lists of taxable property, be placed in the orders of the day.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By mr. Pope-1. A bill concerning pilots.

By mr. J. Johnston—2. A bill to amend an act entitled "an an act for the erection of a bridge across Rough creek in Ohio county."

And by mr. Lockett—3. A bill to authorise the redemption of lands forfeited for the non-payment of the taxes, and to au-

Thorise the enlistment of lands forfeited for a failure to list the same for taxation.

Which bills were severally received, and read the first time, and ordered to be read a second time.

An engrossed bill entitled "an act to regulate the fees of the justices of the peace of this commonwealth."

Was read a third time.

Mr. Dallam then moved to attach to said bill the following

engrossed clause by way of ryder, viz.

Be it further enacted, That nothing in this act contained shall be so construed as to authorise justices of the peace to recover any fee for issuing a warrant granting a judgment or awarding an execution, when the matter in controversy shall not exceed five pounds.

And the question being taken on agreeing thereto, it was

decided in the negative.

The yeas and nays being required thereon by messrs.

Scott and Dallam, were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Berry, Breathitt, Carter, Chew, Chinn, Coburn, Dallam, Davis, Dollerhide, Field, L. Green, J. Green, Hanson, Hickman, Jennings, B. Johnson, Jones, M'Closky, Mullens, Phelps, Prather, Robinson, Sont C. Well, J. W.

son, Scott, G. Wall, J. Ward and Wickliffe-28.

Nays—Messrs. Baker, Barbour, Barnett, Baylor, Beall, Booker, W. O. Butler, Coombs, Crittenden, Cunningham, Duncan (of Daviess) Duncan (of Lincoln) Forrest, Gaither, George, Harrison, Haynes, J. Johnston, J. T. Johnston, Kennedy, Knight, Lackey, Lee, Lockett, Love, J. Logan, Megowan, Mercer, M'Millan, Miller, Morton, O'Bannon, Owings, Parsons, Pope, Ray, Rennick, Sharp, Smith, Stockton, Stratton, Z. Taylor, J. Taylor, Thomas, Turner, Underwood, W. Wall, T. Ward and Worthington—50.

The question was then put on the passage of said bill,

which was decided in the affirmative.

The yeas and nays being required thereon by messrs. L.

Green and T. Ward, were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Baker, Earbour, Barnett, Baylor, Booker, Breathitt, W. O. Butler, A. Butler, Caldwell, Carter, Chew, Chinn, Coburn, Coombs, Cunningham, Dallam, Duncan (of Daviess) Duncan (of Lincoln) Field, Forrest, George, J. Green, Hanson, Harrison, Haynes, Hickman, Hunter, J. Johnston, J. T. Johnson, B. Johnson, Kennedy, Knight, Lackey, Lee, Lockett, Love, Megowan, Mercer, M'Closky, M'Millan, Miller, Morton, Mullens, O'Bannon, Owings, Parsons, Pope, Phelps, Ray, Rennick,

Sharp, Smith, Stockton, Stratton, J. Taylor, Thomas, Turner, Underwood, G. Wall, W. Wall, T. Ward, Williams and Worthington—65.

Nays—Messrs. Barr, Barrett, Berry, Crittenden, Davis, Gaither, L. Green, Jennings, Jones, J. Logan, Prather, Robinson, Scott, Z. Taylor, J. Ward and Wickliffe—16.

Ordered, That mr. T. Ward carry the said bill to the senate, and request their concurrence.

A message from the senate by mr. Wickliff:

Mr. Speaker,

The senate have adopted a resolution to wear crape as a testimony of respect to the memory of the late general Walton.

In which they request the concurrence of this house.

And then he withdrew.

An engrossed bill entitled "an act imposing a tax on all banking houses not incorporated by this commonwealth."

Was read a third time.

Mr. Baylor then moved to attach to the said bill the fol-

lowing engrossed clause, by way of ryder, viz.

And be it further enacted, That the state bank and its branches or either of them shall be empowered, and they are hereby authorised to charge the United States' branch banks located in this state with ten thousand dollars, the amount of the tax levied upon said branches for the year 1818, against any demand which the branches of the U. States may have against the state bank or its branches; and to place the amount thereof to the credit of the state of Kentucky; and that the said bank of Kentucky be authorised to retain out of the dividends becoming due on the part of this state, all costs and damages which may be sustained in consequence thereof.

Mr. Todd then moved to commit said bill to a select com-

mittee under the following resolution, viz.

Resolved, That the bill imposing a tax of sixty thousand dollars upon the offices of discount and deposit of the bank of the United States located within this state, be referred to a select committee, with instructions to modify its provisions, so that the tax upon the capital of that institution located within this state, shall correspond with the tax imposed by law upon the banks incorporated by this state, and that provision be made for collecting the tax now due to this commonwealth by the offices of discount and deposit of that institution so located within this state.

And the question being taken on adopting said resolution, and referring said bill to a select committee for the purposes therein expressed, it was decided in the negative.

The year and nays being required thereon by messrs.

Todd and Field, were as follows, to wit:

Yeas-Mr. Speaker, messrs. Barbour, Barnett, Barr, Baylor, Beall, W. O. Butler, Caldwell, Crittenden, Duncan (of Lincoln) Field, J. Green, Howard, Hunter, J. T. Johnson, Kennedy, Lockett, B. Logan, Megowan, Pope, Phelps, Smith and Todd—23.

Nays—Messrs. Allen, Baker, Barrett, Berry, Breathitt, Carter, Chew, Chinn, Coburn, Coombs, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Forrest, Gaither, George, L. Green, Hanson, Harrison, Haynes, Hickman, Jennings, J. Johnston, B. Johnson, Jones, Laight, Lackey, Love, J. Logan, Mercer, M'Kee, M'Closky, M'Millan, Miller, Morton, Mullens, Owings, Parsons, Prather, Ray, Rennick, Robinson, Scott, Sharp, Stockton, Stratton, Z. Taylor, J. Taylor, Thomas, Turner, G. Wall, T. Ward, J. Ward, Wickliffe and Worthington—57.

The question was then taken on the amendment proposed as an engrossed ryder, upon which it was decided in the ne-

gative.

The yeas and nays being required thereon by messrs.

Baylor and Rennick, were as follows, to wit:

Yeas—Messrs. Barbour, Barnett, Baylor, A. Butler, Chinn, Duncan (of Lincoln) J. Green, Hanson, Hunter, Kennedy, J. Logan, Owings, Smith and T. Ward—14.

Nays—Mr. Speaker, messrs. Allen, Baker, Barrett, Beall, Berry, Booker, Breathitt, W. O. Butler, Caldwell, Carter, Chew, Coburn, Coombs, Crittenden, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Field, Forrest, Gaither, George, L. Green, Harrison, Haynes, Hickman, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Jones, Knight, Lackey, Lee, Lockett, Love, Megowan, Mercer, M'Kee, M'Closky, M'Millan, Miller, Morton, Mullens, O'Bannon, Parsons, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Stockton, Stratton, Z. Taylor, J. Taylor, Thomas, Todd, Turner, Underwood, G. Wall, J. Ward, Wickliffe, Williams and Worthington—68.

The question was then put on the passage of the bill, which

was decided in the affirmative.

The yeas and nays being required thereon by messrs. M'Millan and Barnett, were as follows, to wit:

Yeas—Messrs. Allen, Baker, Barrett, Berry, Booker, Breathitt, A. Butler, Carter, Chew, Chinn, Coburn, Coombs, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Forrest, Gaither, George, L. Green, Givens, Hanson, Harrison, Haynes, Hickman, Jennings, J. Johnston B. Johnson, Jones, Kennedy, Knight, Lackey, Love, J. Logan, Mercer, M'Kee, M'Closky, M'Millan, Miller, Morton, Mullens, Noland, O'Bannon, Owings, Parsons, Prather, Ray, Rennick, Robinson, Scott, Sharp, Stockton, Stratton, Z. Taylor, J. Taylor, Thomas, Turner, Underwood, G. Wall, W. Wall, T. Ward, J. Ward, Wickliffe, Williams and Worthington—66.

Nays—Mr. Speaker, messrs. Barbour, Barnett, Barr, Baylor, Beall, W. O. Butler, Caldwell, Crittenden, Duncan (of Lincoln) Field, J. Green, Howard, Hunter, J. T. Johnson, Lee, Lockett, B. Logan, Megowan, Pope,

Phelps, Smith and Todd-23.

Ordered, That mr. Sharp carry the said bill to the senate, and request their concurrence.

And then the house adjourned.

SATURDAY, JANUARY 16, 1819.

Mr. Barbour presented the petition of sundry citizens of Jefferson county, praying that the amount of the county levy laid on the inhabitants of said county at the last court of claims, may be reduced; and that the mode of laying county levy may be changed.

And the petition of sundry citizens of Jefferson county, praying for the erection of an election precinct in said

county.

Mr. M'Millan presented the petition of David Logan of Fayette county, representing that on his trial on charges proffered against him for malfeasance in his office of justice of the peace for said county at the last session, his case was not fully and fairly understood; and praying that he may be permitted to have a new hearing.

And the petition of sundry citizens of Fayette county to the

same purport.

Mr. Lockett presented the petition of the Union Circulating Library Company, praying that the act of the last session of the general assembly incorporating the Morganfield Library Company, be repealed; and that a law may pass incorporating the said Union Circulating Library Company.

Which were severally received and read and the first and second referred to a select committee of messrs. Barbour, Pope, J. Logan, Harrison, Knight and A. Butler; the fifth to a select committee of messrs. Lockett, Morton, Davis, Dallam and Mercer, giving said committees leave to report thereon by bills or otherwise; and the third and fourth were laid on the table.

Leave was given to bring in the following bills:

On the motion of mr. Barnett—1. A bill to appropriate money to educate the poor and orphan children in this commonwealth.

On the motion of mr. Chew—2. A bill authorising commissioners to review and mark a road from Morgantown in Butler county, to the mouth of Sinking creek in Brecken-ridge county, and for other purposes.

And on the motion of mr. Lockett—3. A bill to establish a ferry on the land of William Cockrel, opposite to Shawanoe-

town.

Messrs. Barnett, M'Millan, and J. Green, were appointed a committee to prepare and bring in the first; messrs. Chew, Davis and Duncan (of Daviess) the second; and messrs. Lockett, Rennick and G. Wall, the third.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By mr. Ray from the committee of religion-1. A bill for

the relief of Walter W. Lovelace.

By mr. M'Millan from the committee of propositions and grievances—2. A bill giving to the town of Lexington in the county of Fayette, a separate representation, and establishing election precincts in said county.

By mr. Pope from the committee for courts of justice-3.

A bill for the benefit of John Arnold.

By mr. Underwood—4. A bill to create additional judicial districts.

By mr. Underwood from the committee for courts of justice—5. A bill to authorise the sale of lands by administrators for the payment of the debts of the intestate, and for other purposes.

And by mr. Lockett-6. A bill establishing the town of

Francisburg in Union county.

Which bills were severally received and read the first

time, and ordered to be read a second time.

Ordered, That the public printers print 200 copies of the second and fourth bills for the use of the members of this house.

Mr. J. Logan moved for leave to bring in a bill to authorise the investment of a part of the public money in certain turnpike road stock in this commonwealth.

And the question being taken thereon, it was decided in

the negative.

The yeas and navs being required thereon by messrs. J.

Green and J. Logan, were as follows, to wit:

Yeas—mr. Speaker, messrs. Barbour, Barr, Booker, Breathitt, W. O. Butler, A. Butler, Carter, Coburn, Davis, J. T. Johnson, B. Johnson, Knight, Lackey, Love, J. Logan, B. Logan, Megowan, M'Kee, M'Millan, Pope, Robinson, Sharp, Smith, Stratton, J. Taylor, Thomas, Todd, Underwood, G. Wall, W. Wall, T. Ward and J. Ward—33.

Nays messrs. Allen, Baker, Barnett, Barrett, Beall, Berry, Caldwell, Coombs, Crittenden, Cunningham, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, Gaither, L. Green, J. Green, Hanson, Harrison, Haynes, Howard, Hunter, Jennings, J. Johnston, Kennedy, Lee, Lockett, Miller, Morton, Mullens, Noland, O'Bannon, Phelps, Prather, Ray, Rennick, Scott, Stockton, Z. Taylor, Turner, Wickliffe and Worthington—42.

Mr. Howard from the joint committee appointed to examine the treasurer's office, made the following report, to wit:

Samuel South, treasurer, in account with the State of Ken-1818, tucky.

Nov 10-To cash remaining in the freasury the

10-10 Cash remaining in the treasury	CIIC	
30th Jan. last,	\$ 58,453	16
Received of sheriffs since 30th Jan.	4,443	88
do. clerks of courts same time,	2,000	58
do. Green river settlers do.	7,629	05
do. vacant land do.	12,958	85
do. Tellico land do.	11	60
do. sergeant court of appeals,	894	82
do. devidend bank stock 1st Jan. last,	23,457	54
do. 1st July,	21,699	93
do. secretary of state,	20	90
do. penitentiary,	13,755	56
do. non-residents,	4,939	29
do. register of the land office	1,054	23
do missellaneous,	64	41
do. late treasurer,	27,393	76

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nies paid for warrants drawn on the Treas	ury same time.
Salaries of officers of the executive departm	nent, \$ 6,410 6
Bank stock subscribed,	21,525 0
Penitentiary,	10,046 6
Legislature, 1817 session,	20,494 4
Criminal prosecution,	6,190 4
Negroes executed,	970 0
Pensioners,	30 0
Judiciary department,	16,783 6
Contingent expences.	1,230 3
Internal improvements,	38.133 0
Clerks of courts,	1,274 7
Commissioners of the state-house,	3,200 0
Executive officers,	2,402 6
Sergeant court of appeals,	215 7
Government house,	1,294 8
Public printing,	2,473 3
Postage,	705 4
Military expenditures,	239 7
Monies refunded,	203 4
Purchase of non-residents' land,	1,107 4
Sheriffs comparing polls,	57 7
Circuit court jailors,	1,185 5
Lunatics,	5,827 0
	\$ 142,036 8
regate amount of receipts, the sum of	178,677 5
Do. payments, same time,	142,036 8

The joint committee of the senate and house of representatives have examined the treasurer's office, and compared the vouchers with the entries, and find them correctly entered, and filed with the books in good order, and the balance struck for the above time. A statement is herewith reported, and which is the result of our examination.

Cash in the treasury on 10th Nov. 1818, \$ 36,640 70

All of which is herewith respectfully submitted.

From the senate,

712000

MARTIN H. WICKLIFF, THOS. S. SLAUGHTER, IAMES DAVIDSON. From the house of representatives,

THOS. C. HOWARD; THOS. KENNEDY, LIBERTY GREEN. R. BARBOUR. BURR HARRISON. EDWARD GEORGE

Resolved, That the said committee destroy the vouchers remaining in the treasurer's office which were receipted for by the present treasurer when he entered upon the duties of that office.

Ordered, That mr. Howard inform the senate thereof.

and request their concurrace in said resolution.

The house took up the bill to alter the mode of laving county levy, with the amendments thereto, which being further amended:

It was moved and seconded to lay the same on the table until the first day of April next.

And the question being taken thereon, it was decided in the affirmative.

The year and nays being required thereon by messrs.

Booker and Ward, were as follows, to wit: Yeas-Messrs, Allen, Baker, Berry, Booker, Caldwell, Coburn, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Field, Gaither, George, L. Green, J. Green, Haynes, Howard, Hunter, Jennings, Kennedy, Lee, Lockett, Love, Mercer, M'Kee, Mullens, Owings, Phelps, Prather, Robinson, Scott, Smith Stockton, Stratton, Z. Taylor, T. Ward and Wickliffe-38.

Nays-Mr. Speaker, messrs. Barbour, Barrett, Beall, Breathitt, Carter, Chew, Coombs, Crittenden, Forrest, Givens, Hanson, J. Johnston, B. Johnson, Lackey, Megowan, M'Millan, Miller, Noland, Pope, Ray, Rennick, Sharp, J. Taylor, Thomas, Turner, Underwood, G. Wall, W. Wall, Williams and Worthington-31.

Ordered, That mr. Booker have leave to withdraw the resolution relative to the Transylvania University, moved by him on the 2d inst.

The bill from the senate entitled " an act to incorporate the Bowling-Green bridge company," was read the third time, and amended by way of engrossed ryder.

And the question being taken on the passage thereof, it

was decided in the affirmative.

The year and nays being required thereon by messes. Underwood and Sharp, were as follows, to wit:

ASSESSMENT OF THE PARTY.

Yeas—Mr. Speaker, messrs. Allen, Baker, Barrett, Bealls Booker, Breathitt, Coburn, Coombs, Crittenden, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Field, Forrest, George, J. Green, Givens, Haynes, Hunter, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Lackey, Lee, Lockett, Love, Megowan, Mercer, M'Kee, M'Millan, Miller, Mullens, Noland, Owings, Parsons, Pope, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Stockton, Stratton, Thomas, Todd, Turner, G. Wall, W. Wall, T. Ward, Wickliffe, Williams and Worthington—49.

Nays-Messrs. Berry, Caldwell, Carter, Chew, Gaither, L. Green, Howard, Jones, Kennedy, Z. Taylor, J. Taylor

and Underwood-12.

Resolved, That the title of said bill be as aforesaid.

Ordered, That mr. Sharp inform the senate thereof, and request their concurrence in the said amendment.

A message from the senate by mr. Lee their secretary:

Mr. Speaker,

The senate have passed a bill from this house, entitled "an act to incorporate the trustees of the centre college of Kentucky at Danville," with an amendment.

They have passed bills of the following titles:

An act to amend the acts regulating the towns of Millersburg, Paris and Bairdstown, and for other purposes, approved February 4th, 1817; an act providing for the navigation of Pond river; and an act for the benefit of the infant heirs of James Hughes, deceased.

In which amendment and bills they request the concurrence

of this house.

And then he withdrew.

Ordered, That mr. M'Kee be added to the committee appointed to prepare and bring in a bill to provide for the consolidation of the independent banks in this commonwealth.

The house took up the resolution from the senate, to wear crape as a testimony of respect to the memory of the late general Walton.

Which being twice read, was laid on the table.

And then the house adjourned.

MONDAY, JANUARY, 18, 1819.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By mr. Lockett—1. A bill to establish a ferry on the lands of William Cockerill, opposite Shawneetown.

And by mr. Howard—2. A bill to extend the terms of the Madison circuit court, and for other purposes.

Which bills were severally received, and read the first

time, and ordered to be read a second time.

Leave was given to bring in the following bills:

On the motion of mr. B. Johnson-1. A bill to incorporate the Burlington Library Company in this commonwealth.

On the motion of mr. Booker—2. A bill better to secure the collection of fines, forfeitures and penalties in this commonwealth.

And on the motion of mr. T. Ward—3. A bill to amend the law establishing a town at the court house in the county of Greenup.

Messrs. B. Johnson, J. T. Johnson and Grant, were appointed a committee to prepare and bring in the first; messrs. Booker, J. Green and J. Logan, the second; and messrs. T. Ward, Coburn and J. Ward, the third.

Mr. A. Butler presented the petition of sundry citizens of Logan county, praying that a law may pass declaring Muddy river a navigable stream.

Which petition was received, read, and referred to the committee to whom petitions on the same subject were referred on a former day of the session.

A bill from the senate, entitled "an act providing for the appointment and compensation of commonwealth's attornies for the circuit courts."

Was read the first time, and the question being taken on reading said bill a second time, it was decided in the negative, and so the said bill was rejected.

Gredered, That mr. M'Millan inform the senate thereof.

The house took up the amendment proposed by the senate, to a bill from this house, entitled " an act for the benefit of Daniel and Anthony Owsley."

Which was twice read.

It was then moved and seconded to lay the said bill and amendment on the table until the first day of April next.

And the question being taken thereon, it was decided in the negative.

The year and mays being required thereon by messrs.

Harrison and Booker, were as follows, to wit:

Yeas—Messrs. Baker, Booker, Breathitt, A. Butler, Carter, Crittenden, Duncan (of Daviess) J. Green, Hanson, Harrison, J. Johnston, Love, Owings, Pope, Phelps, Robinson, Stockton, J. Taylor, Underwood, W. Wall, Williams and Worthington—22.

Nays—Mr. Speaker, messrs. Allen, Barbour, Barnett, Barrett, Beall, Berry, W. O. Butler, Chew, Coombs, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Lincoln) Forrest, L. Green, Haynes, Howard, Jennings, B. Johnson, Kennedy, Knight, Lackey, Lee, Lockett, B. Logan, Megowan, Mercer, M'Millan, Miller, Morton, Mullens, Noland, O'Bannon, Parsons, Prather, Ray, Rennick, Scott, Sharp, Smith, Stratton, Z. Taylor, Thomas, Turner, G. Wall, T. Ward and Wickliffe—49.

The said amendment was then agreed to.

Ordered, That mr. Sharp inform the senate thereof.

The house took up the amendment proposed by the senate, to the bill from this house, entitled "an act to amend an act concerning certain trespasses on lands."

Which was twice read as follows:

[Strike out from the original bill after the word "lands"

the remainder of the bill being the following words:

"Shall not be held and construed to embrace persons who are actual residents on the land where the trespass is charged to have been committed."

And in lieu thereof insert the following:

" Shall not be so construed as to extend to any person unless he is a wilful trespasser on the lands of another."

It was then moved and seconded to lay the said bill and amendment on the table until the first day of April next.

And the question being taken thereon, it was decided in the negative.

The year and navs being required thereon by messys. Duncan (of Daviess) and Chew, were as follows, viz.

Yeas—Messrs. Barnett, Beall, Berry, Dancan (of Lincoln) Kennedy, M'Millan, Owings, Prather, Rennick and Smith—10.

Nays—Mr. Speaker, messrs. Allen, Baker, Barbour, Barrett, Booker, Breathitt, W. O. Butler, A. Butler, Carter, Chew, Coombs, Crittenden, Cunningham, Dallam, Dollerhide, Duncan (of Daviess) Forrest, L. Green, J. Green, Hanson, Harrison, Haynes, Howard, Jennings, J. Johnston, Lackey, Lee, Lockett, Love, B. Logan, Megowan, Mercer, Miller, Morton, Noland, C'Bannon, Phelps, Ray, Robinson, Scott, Sharp, Stockton, Stratton, Z. Taylor, J. Taylor, Thomas, Turner, Underwood, G. Wall, W. Wall, T. v. and and Worthington—53.

It was then moved and seconded to amend the senate's amendment by attacking thereto the following words:

"Nor to any person who at the time of said trespass may be an actual resident on the same."

And the question being taken on agreeing thereto, it was decided in the negative.

The year and nays being required thereon by messrs.

Duncan and Lockett, were as follows, viz.

Yeas—Messrs. Chew, Coombs, Cunningham, Duncan (of Daviess) Haynes, J. Johnston, Lockett, Miller, Scott, Tur-

ner and W. Wall-11.

Nays—Mr. Speaker, messrs. Allen, Baker, Barnett, Barr, Barrett, Beall, Berry, Booker, A. Butler, Caldwell, Carter, Coburn, Crittenden, Dallam, Davis, Dollerhide, Duncan (of Lincoln) Forrest. George, L. Green, J. Green, Hanson, Harrison, Howard, Jennings, J. T. Johnson, B. Johnson, Kennedy, Knight, Lee, Love, B. Logan, Megowan, M'Millan, Noland, O'Bannon, Owings, Parsons, Phelps, Prather, Ray, Rennick, Robinson, Sharp, Stockton, Stratton, Z. Taylor, J. Taylor, Thomas, G. Wall, T. Ward, J. Ward, Wickliffe, Williams and Worthington

The amendment proposed by the senate to said bill, was then concurred in.

Ordered, That mr. Sharp inform the senate thereof. The house took up the amendments proposed by the sen-

ate to bills from this house of the following titles:

An act for the benefit of Charles C. Carson; and an act to provide for furnishing the circuit courts with a copy of the statute law.

Which being severally twice read, were concurred in. Ordered, That mr. Sharp inform the senate thereof.

The house took up the amendments proposed by the senate to the resolutions from this house, requiring the joint committee appointed to examine the bank of Kentucky, to make certain inquiries, and for other purposes.

Which being twice read, was laid on the table.

The house then according to the standing order of the day resolved itself into a committee of the whole house on the state of the commonwealth; mr. Ray in the chair; which being resumed by mr. speaker, mr. Ray reported that the committee had according to order had under consideration a bill to amend the proceedings in civil suits against banks and other corporations; and a bill to amend the laws incorporating independent banks, and had gone through the former with sundry amendments, which he handed in at the clerk's table; but not having time to go through the latter bill, had

instructed him to ask for leave to sit again on to-morrow; which was granted.

The amendments proposed by the committee to the former

bill, were then twice read and concurred in.

Ordered, That the said bill be engrossed as amended, and read a third time to-morrow.

On the motion of mr. Williams,

Ordered, That leave be given to bring in a bill for the benefit of the Montgomery Lodge: And that messrs. Williams, Megowan and M'Millan, prepare and bring in the same.

And then the house adjourned.

TUESDAY, JANUARY 19, 1819.

On the motion of mr. Robinson,

Ordered, That leave be given to bring in a bill to appoint commissioners to view and mark a road leading from the town of Frankfort to the Tennessee line in the nearest practicable direction to Nashville: And that messrs. Robinson, Booker, Ray, Turner, Barrett and Underwood, be appointed a committee to prepare and bring in the same.

A message from the senate by mr. Churchill:

Mr. Speaker,

The senate have passed a bill entitled "an act authoristing certain county courts to appoint port wardens, and prescribing their duties.

In which they request the concurrence of this house.

And then he withdrew.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By mr. Booker—1. A bill better to secure the collection of fines, forfeitures and penalties in this commonwealth.

By mr. M'Millan-2. A bill declaring the north fork of the Kentucky river navigable as high as the mouth of the line fork.

By mr. Williams-3. A bill for the benefit of the Montgomery Lodge.

By mr. Breathitt 4. A bill for the benefit of the heirs of Ennis Ashby, and for other purposes.

By mr. Locket-5. A bill for the benefit of the heirs of Philip Barbour, deceased.

By mr. A. Butler-6. A bill concerning the improvement of internal navigation.

By mr. M'Kee from the committee of claims-7. A bill for the benefit of William Littell.

By mr. Stratton-8. A bill for the better securing certain officers' fees of the commonwealth, and for other purposes.

By mr. B Johnson-9. A bill to incorporate the Burlington Library Company in this commonwealth,

By mr. Underwood-10. A bill to authorise the issue of circulating certificates of stock by the bank of Kentucky.

By mr. Barr-11. A bill for the relief of the heirs and re-

presentatives of Mann Satterwhite, deceased.

And by mr. T. Ward-12. A bill to amend an act establishing a town at the court-house in the county of Greenup.

Which bills were severally received and read the first time, and the first, second, third, fourth, fifth, sixth, seventh, ninth, eleventh and twelfth, ordered to be read a second time.

And the question being taken on reading the eighth and tenth bills a second time, it was decided in the negative, and so the said bills were rejected.

And thereupon the rule of the house and second reading

of the sixth bill being dispensed with:

Ordered, That the same be committed to the committee of the whole house on the state of the commonwealth on Thursday next.

Ordered, That the public printers forthwith print 200 copof the first and sixth bills for the use of the members of this

house.

A message from the senate by mr. Lee their secretary :

Mr. Speaker,

The senate have adopted a resolution from this house, directing the joint committee appointed to examine the treasurer's office to destroy certain vouchers; and have passed a bill from this house, entitled " an act for the benefit of John Woods of Mercer county."

And have passed bills of the following titles:

An act authorising an addition to the town of Burksville ; an act to explain the fees of sheriffs in certain cases; and an act establishing an election precinct in Bourbon county.

In which bills they request the concurrence of this house.

And then he withdrew.

Mr. M'Milian presented the petition of John Christian of Clarke county, representing that he is extremely poor, and related by blood to John H. Christian, who by his last will devised the surplus money his executors might receive over and above the sum of \$ 5000, after paying legacies, to charitable uses; that a small surplus remains in the hands of the executors, which the nearer relations of said decedant, are anxious to be appropriated for his use; and praying that a

law may pass to effectuate that object.

Mr. Crittenden presented the petition of James Minter and others, of Fayette county, representing that they are the owners of a manufactory for the manufacture of woolen and cotton goods; and praying that a law may pass to incorporate the same under suitable regulations.

And mr. Chew presented the petition of John M'Gee, administrator of the estate of Samuel M'Gee, deceased, praying that a law may pass authorising the sale of a part of the real estate of said decedant for the payment of the debts of his in-

testate.

Which petitions were severally received, read and refered; the first and third to the committee for courts of justice; and the second to a select committee of messrs. Crittenden, Barr, Hunter, Field and J. T. Johnson, giving said committee leave to report thereon by bill or otherwise.

On the motion of mr. M'Millan.

Ordered, That leave be given to bring in a bill to amend an act entitled "an act for the relief of the trustees of the Jefferson Seminary, and for other purposes," approved February 3d, 1817: And that messrs, M'Millan, Noland, Hanson and Barnett, be appointed a committee to prepare and bring in the same.

Mr. Haynes read and laid on the table the following res-

olution, viz.

Resolved by the senate and house of representatives. That when we adjourn on Saturday the 30th instant, we will adjourn sine die.

On the motion of mr. Kennedy,

Resolved, That this house will re-consider the vote by which the amountment proposed by the senate to a bill from this house, entitled "an act for the benefit of Charles C. Carson," was concurred in, be re-considered.

Whereupon the said amendment was again twice read, and

disagreed to.

Ordered, That mr. Smith inform the senate thereof.

On motion.

Ordered. That the committee of claims be discharged from a further consideration of the petition of Peter Martin of Shelby county, and that the same be referred to the committee of propositions and grievances.

X.

Mr. T. Ward from the committee appointed to wait on the Rev. mr. Holley and request him to furnish for publication a copy of his sermon delivered in the representative chamber, reported the following letter as a response to said application.

FRANKFORT, January 6th, 1819. GENTLEMEN-The request which the house of representatives of this commonwealth has made to me through you to furnish for the press a copy of the discourse pronounced before that honorable body last Sunday in compliance with their resolution, I have received, and respectfully express my gratification at this mark of their regard and approbations The discourse was delivered from notes only of the topics; but if I can get time, after my return to the duties of the university, to write it out in full, I will, with great pleasure, comply with the wish of the house of representatives. For the agreeable manner, in which you have communicated the resolution of the house, accept of my thanks.

Yours with sentiments of great regard,

HURACE HOLLEY.

To messieurs

T. WARD, E. R. CHEW,

T. T. BARR.

J. W. Coburn and

T. T. CRITTENDEN. A message from the senate by mr. Johnson:

Mr. Speaker,

The senate concur in the amendments proposed by this house to the bill from the senate, entitled " an act to incorporate the Bowling-Green bridge company."

And then he withdrew.

The house took up the amendments proposed by the senate

to bills from this house of the following titles.

An act to amend an act entitled "an act to amend the several acts concerning the importation and emancipation of slaves," approved February 8th, 1815; and an act to incorporate the trustees of the centre college of Kentucky at Danville.

Which being severally twice read, were concurred in. Ordered, That the clerk inform the senate thereof.

The house took up the amendments, proposed by the senate to a bill from this house, entitled " an act for the benefit of Nancy Godby, Patsey Lawrence and others.

Which being twice read, was concurred in, with an amend-

Ordered, That the clerk inform the senate thereof, and

request their concurrence in the said amendment.

The house proceeded to consider the amendment proposed by the senate, upon concurring in that proposed by this house to the bill from the senate, entitled "an act for the relief of Charles Willott, sen. Patrick Gilmore and others.

Which being twice read, was concurred in, with an amend-

ment.

Ordered, That the clerk inform the senate thereof, and re-

quest their concurrence in said amendment.

The house proceeded to re-consider their amendment proposed to the bill from the senate, entitled " an act further to indulge the settlers on the lands acquired by the treaty of Tellico to pay the state price on their claims."

Which being again twice read :

Resolved, That this house recede from their said amendment.

Ordered, That the clerk inform the senate thereof.

Engrossed bills of the following titles:

1. An act declaring Chapline's fork of Salt river and Rough creek navigable streams; 2. An act to provide for the revision of the statute laws of this commonwealth; and 3. An act to amend the proceedings in civil suits against banks and other corporations.

Were severally read a third time.

Resolved, That the first and third bills do pass; that the fitle of the first be amended to read "an act declaring Rough creek a navigable stream," and that of the third be as aforesaid.

Ordered, That mr. Chew carry the first, and mr. Sharp the second bills to the senate, and request their concurrence.

Ordered. That the second bill be laid on the table.

A bill from the senate entitled "an act to provide for the revision of the statute laws of this commonwealth," was read the first time, and ordered to be read a second time.

A message from the senate by mr. Johnson :

Mr. Speaker,

The senate disagree to a bill from this house, entitled "an act to prescribe the proceedings against banks and other corporations that may forfeit their charters."

And then he withdrew.

Mr. Todd from the joint committee of enrolments, reported that the committee had examined enrolled bills and a resolution of the following titles:

An act to provide for furnishing the circuit courts with a copy of the statute laws; an act to amend an act concerning certain trespasses on lands; an act for the benefit of Daniel and Anthony Owsley, and Jacob Boyer and Samuel Ross; an act for the benefit of Edward Maxey and John Wilson; an act for the benefit of John Woods of Mercer county; and a resolution directing the joint committee appointed to examine the treasurer's office to dertroy certain youchers.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Todd inform the senate thereof.

A bill to alter the mode of taking in lists of taxable proper-

ty, was again read a second time, and amended.

It was then moved and seconded to lay the said bill and amendments on the table until the tenth day of March next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by messrs.

Turner and Dollerhide, were as follows, viz.

Yeas—Messrs. Allen, Baker, Barrett, Berry, Breathitt, Chinn, Dollerhide, Duncan (of Daviess) Field, L. Green, Hanson, Haynes, Hickman, Jennings, J. Johnston, Lackey, Mercer, M'Closky, M'Millan, Mullens, Nofand, O'Bannon, Owings, Phelps, Prather, Ray, Robinson, Scott, Sharp, Stratton, Z. Taylor, J. Taylor, Turner, Underwood, T. Ward, Wickliffe and Williams—37.

Nays—Mr. Speaker, messrs. Barnett, Barr, Beall, Booker, A. Butler, Caldwell, Carter, Chew, Coburn, Courbs, Crittenden, Cunningham, Dallam, Davis, Duncan (of Lincoln) Forrest, George, Grant, J. Green, Harrison, Howard, Hunter, J. T. Johnson, B. Johnson, Kennedy, Knight, Lec, Lockett, Love, Megowan, M'Kee, Miller, Morton, Parsons, Pope, Rennick, Smith Stockton, Thomas, Todd, G. Wall, W. Wall, J. Ward and Worthington—45.

Ordered, That the said bill, with the amendment, be en-

grossed and read a third time to-morrow.

A message from the senate by mr. Lee their secretary :

Mr. Speaker,

The senate concur in the amendment proposed by this house, upon concurring in that proposed by the senate, to that proposed by this house to a bill from the senate, entitled "an act for the relief of Charles Willott, sen. Patrick Gilmore and others." They concur in the amendment proposed by this house, upon concurring in that proposed by the senate to a bill from this house entitled "an act for the ben-

efit of Nancy Godby, Patsey Lawrence and others." They recede from their amendment proposed to a bill from this house, entitled "an act for the benefit of Charles C. Carson." They disagree to a bill which originated in this house, entitled "an act declaring Rough creek a navigable stream." They have passed a bill which originated in this house, entitled "an act for the benefit of the heirs of Adam Woods, deceased," with amendments. And they have passed a bill entitled "an act establishing and regulating certain towns in this commonwealth."

In which amendments and bill they request the concurrence

of this house.

And then he withdrew.

A bill to amend the charter of the bank of Green river, was read a second time, and committed to a select committee of mesers. Underwood, J. Green, Crittenden, Booker and Rennick.

And then the house adjourned.

WEDNESDAY, JANUARY 20, 1819.

The house took up the petition of David Logan, and of sundry citizens of Fayette county, laid on the table on Saturday last, which was then referred to the committee of pro-

positions and grievances.

Mr. Worthington presented the petition of sundry citizens of Mercer county, representing that the poorer class of the community are much annoyed by the enclosure of large bedies of lands, and the consequent stoppage of the bye-roads of the neighborhood, and praying legislative relief.

Which was received, and read; and the question being taken on referring said petition to the proper committee, it was decided in the negative, and so the said petition was rejec-

ted.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By mr. M'Kee from the committee of claims-1. A bill for the appropriation of money.

By mr. G. Wall-2. A bill establishing a turnpike on the

road leading from Georgetown to Cincinnati.

By mr. Davis—s. A bill appointing commissioners to review and mark a road from Morgantown in Butler county, to the mouth of Sinking creek in Breckennidge county.

By mr. Underwood-4. A bill providing for a consolida-

And by mr. Hanson-5. A bill concerning the Estill acad-

emy.

Which bills were severally received and read the first time,

and ordered to be read a second time.

And thereupon the rule of the house and second reading of the first bill being dispensed with, the same was committed to a committee of the whole house on the state of the commonwealth.

Ordered. That the public printers forthwith print 200 copof the fourth bill for the use of the members of this house.

Leave was given to bring in the following bills:

On the motion of mr. Hanson-1. A bill to alter the terms

of the Clark and Estill circuit and county courts.

On the motion of mr Harrison—2. A bill to authorise the trustees of the Saline academy to sell the lands belonging to that academy.

And on the motion of mr. Smith—3. A bill supplemental to an act to authorise the opening a road from Mountsterling to the Virginia line by way of Prestonsburg, and for other

purposes.

Messrs. Hanson, M'Millan, Noland, Howard. Barnett and J. Logan, were appointed a committee to prepare and bring in the first; messrs. Harrison, Beall and M'Closky, the second: and messrs. Smith, Williams, Lackey, Kennedy and M'Millan, the third.

The house took up the amendments proposed by the senate to a hill from this house, entitled " an act for the benefit of

the heirs of Adam Woods, deceased."

Which being twice read were concurred in.

Ordered, That mr. Underwood inform the senate thereof.

An engrossed bill entitled "an act to alter the mode of taking in lists of taxable property," was read a third time, and an engrossed clause added thereto by way of ryder.

Mr. Turner then moved further to attach to said bill the

following engrossed clause, by way of ryder.

Ee it further enacted. That the compensation allowed commissioners appointed by this act in any one county, shall not in any case exceed the amount of revenue collected in the county.

And the question being taken on agreeing thereto, it was

decided in the negative.

The year and mays being required thereon by messrs. Turner and M'Millan, were as follows, to wit:

Yeas—Messrs. Baker, Berry, Breathitt, Carter, Chinn, Dollerhide, Duncan (of Daviess) Field, Forrest, L. Green, Hanson, Haynes, Hickman, Jennings, J. Johnston, Jones, J. Logan, Mercer, M'Closky, M'Millan, Mullens, Noland, O'Bannon, Owings, Phelps, Prather, Robinson, Scott, Z. Taylor, J. Taylor, Turner, Underwood, T. Ward and Williams—34.

Nays-Mr. Speaker, messrs. Allen, Barbonr. Barnett, Barr, Beall, Booker, W. O. Butler, Caldwell, Chew, Coburn, Coombs, Crittenden, Cunningham, Dallam, Davis, Duncan (of Lincoln) George, Grant, J. Green, Harrison, Howard, Hunter, J. T. Johnson, B. Johnson, Kennedy, Knight, Lackey, Lee, Lockett, Love, B. Logan, Megowan, M'Kee, Miller, Morton, Parsons, Pope, Ray, Rennick, Smith, Stockton, Stratton, Thomas, Todd, G. Wall, W. Wall, J. Ward and Worthington—49,

The question was then put on the passage of the bill,

which was decided in the affirmative.

The year and mays being required thereon by messrs.

Haynes and Pope, were as follows, viz.

Yeas-Mr. Speaker, messrs. Barbour, Barnett, Barr, Beall, Booker, W. O. Butler, Caldwell, Chew, Coburn, Coombs, Crittenden, Cunningham, Dallam, Davis, Duncan (of Lincoln) Forrest, George, Grant, J. Green, Harrison, Howard, Hunter, J. T. Johnson, B. Johnson, Kennedy, Knight, Lee, Lockett, Love, J. Logan, B. Logan, Megowan, M'Kee, Miller, Morton, Parsons, Pope, Rennick, Smith, Stockton, Stratton, Thomas, Todd, G. Wall, W. Wall, J. Ward and Worthington—48.

Nays—Messrs. Allen, Baker. Berry, Breathitt, Carter, Chinn, Dollerhide, Duncan (of Daviess) Field, L. Green, Hanson, Haynes, Hickman, Jennings, J. Johnston, Jones, Lackey, Mercer, M'Crosky, M'Millan, Mullens, Noland, O'Bannon, Owings, Phelps, Peather, Ray, Robinson, Scott, Sharp, Z. Taylor, J. Taylor, Turner, Underwood, T.

Ward and Williams - 37.

Ordered, That mr. Pope carry the said bill to the senate, and request their concurrence.

A message from the senate by mr. Johnson:

Mr. Speaker,

The senate have passed a bill which originated in this house, entitled "an act for the erection of a new county out of the counties of Logan Allen and Warren," with amendments.

In which they request the concurrence of this house.

And then he withdrew.

On motion.

Ordered, 'That an engrossed bill to provide for a revision of the statute laws of this commonwealth, be placed in the orders of the day.

The following bills were severally read a second time,

to wit:

1. A bill to amend an act entitled "an act authorising certain justices of the county courts to award injunctions, writs of ne exeat and habeas corpus; 2. A bill for the benefit of Alisana Brown; 3. A bill to amend an act regulating the town of Prestonsburg in Floyd county; 4. A bill to repeal the act of the 23d of January, 1818, relative to Morgantown; 5. A bill to amend the laws concerning the limitation of actions; 6. A bill to amend the several acts respecting the town of Georgetown; and 7. A bill to declare Sandy river a navigable stream.

Ordered, That the said bills be engrossed (the first and

fifth as amended) and read a third time.

And thereupon the rule of the house and third reading of the second bill being dispensed with, and the samd being engrossed:

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered. That mr. Sharp carry the same to the senate, and reducest their concurrence.

A bill for the benefit of John P. Thomas, late treasurer,

was read a second time as follows, viz.

Whereas it is represented to the present general assembly that John P. Thomas, late treasurer of this commonwealth, has discharged the principal, interest and costs of the late defalcation in the treasury, and that the auditor of public accounts on behalf of the state, has also obtained a judgment against him for a penalty equal to said principal, interest and costs, the payment whereof would probably reduce said Thomas to want, and is not demanded either by the interest or nonor of the state: For remedy wreveof,

Be it enacted. That the auditor of public accounts be, and he is hereby directed to discontinue any farther proceedings undersaid judgment; and the said. Thomas be, and he is hereby delivered from the same: The general assembly, however, receive the right to institute suit or saits for the recovery of \$5.64.91 cents, the amount of a suspended account of warrants smed in 1309, in case said warrants shall here-

after be presented at the treasury for payment.

It was then moved and seconded to amend said bill by at-

taching thereto the following additional section, viz.

Be it further enacted, That \$2,200 shall be collected from said Thomas, &c. out of said fine, for the commonwealth, to satisfy that amount received by said Thomas as interest on money belonging to the commonwealth previous to the 10th day of November, in the year 1817.

And the question being taken on agreeing thereto, it was

decided in the negative.

The yeas and nays being required thereon by messrs.

Smith and Jones, were as follows, viz.

Yeas—Messrs. Allen, Beall, Berry, Booker, W. O. Butler, Coombs, Dollerhide, Duncan (of Lincoln) Forrest, Hanson, Howard, Jones, M'Millan, Miller, Noland, O'Bannon, Pope, Robinson, Smith, Z. Taylor, Turner and Wickliffe—22.

Nays—Mr. Speaker, messrs. Baker, Barbour, Barnett, A. Butler, Caldwell, Carter, Chew, Chinn, Coburn, Crittenden, Cunningham, Davis, Duncan (of Daviess) Grant, L. Green, J. Green, Harrison, Haynes, Hunter, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Kennedy, Knight, Lackey, Lee, Lockett, Love, J. Logan, Megowan, Mercer, M'Kee, M'Closky, Owings, Parsons, Phelps, Prather, Ray, Rennick, Scott, Stockton, Stratton, J. Taylor, Todd, Underwood, G. Wall, W. Wall, T. Ward, J. Ward, Williams and Worthington—53.

It was then moved and seconded further to amend said bill by inserting after the words "same" the words "upon paying in addition thereto, one hundred and fifty dollars" in the

19th line of the first section.

And the question being taken on agreeing thereto, it was decided in the affirmative.

The year and nays being required thereon by messrs.

Jones and Smith, were as follows, to wit:

Yeas—Mr. Speaker, messrs. Allen, Barnett, Berry, Booker, W. O. Butler, Chinn, Coombs, Cunningham, Dollerhide, Duncan(Lincoln) Forrest, George, L. Green, J Green, Hanson, Haynes, Howard, Hunter, Jones, Lackey, J. Logan, M'-Closky, M'Millan, Miller, Mullens, Noland, O'Bannon, Parsons, Pope, Phelps, Prather, Robinson, Scott, Sharp, Smith, Stockton, Z. Taylor, Thomas, Todd, Turner, Underwood, G. Wall, W. Wall, Wickliffe and Williams—46.

Nays—Messrs. Baker, Barbour, Beall, Breathitt. A. Butler, Caldwell, Carter, Chew, Crittenden, Dallam, Davis, Duncan (of Daviess) Field, Grant, Harrison, Hickman,

Jennings, J. Johnston, J. T. Johnson, B. Johnson, Kennedy, Knight, Lee, Lockett, Love, Megowan, Mercer, Owings, Ray, Rennick, Stratton, J. Taylor, T.Ward, J. Ward and Worthington—35.

Ordered, That the said bill, as amended, be engrossed and

read a third time to-morrow.

A bill for the division of Knox county, was read a secondtime, and amended.

And then the house adjourned.

THURSDAY, JANUARY 21, 1819.

Mr. Breathitt presented the petition of the trustees of the Christian academy, praying that a donation may be made to said academy of a sum of money to aid them in completing the buildings for the use of said academy which they have commenced.

Which was received, read and referred to the committee to whom was referred so much of the lieutenant governor's

message as relates to education.

Leave was given to bring in the following bills:

On the motion of mr. W. Wall-1. A bill to incorporate the Cynthiana Library Company.

On the motion of mr. Ray-2. A bill to amend the law reg-

ulating divorces.

On the motion of mr. Smith—3. A bill more effectually toprescribe the duties of clerks of courts in this commonwealth,

and for other purposes.

Messrs. W. Wall, J. Taylor, J. T. Johnson and G. Wall, were appointed a committee to prepare and bring in the first; messrs. Ray, Williams, Hickman, J. Ward, Mercer, Lackey, Smith and Dollerhide, the second; and messrs. Smith, J. Green, Kennedy and Parsons, the third.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By mr. Lockett—1. A bill to incorporate the Union Cir-

culating Library Company.

And by mr. Hauson—2. A bill to alter the terms of the Clark and Estill circuit and county courts.

Which bills were severally received and read the first time,

and ordered to be read a second time.

And thereupon the rule of the house and second and third readings of the latter bill being dispensed with, and the same being engrossed:

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That mr. Hanson carry the same to the senate, and request their concurrence.

The house then took up the resolution for a final adjourn-

ment of the general assembly.

Which being twice read, and an amendment moved thereto; it was then moved and seconded to lay the same on the table for the present.

And the question being taken thereon, it was decided in the

affirmative.

The yeas and nays being required thereon by messrs.

Kennedy and Haynes, were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Baker, Barbour, Barmett, Booker, Breathitt, W. O. Butler, Coburn, Coombs, Crittenden, Dallam, Davis, Duncan (of Lincoln) George, Givens, Hanson, Hunter, J. Johnston, J. T. Johnson, B. Johnson, Lockett, Love, J. Logan, Megowan, Mercer, M'-Millan, Miller, Noland, Parsons, Pope, Phelps, Ray, Rennick, Robinson, Stockton, Stratton, J. Taylor, Turner, Underwood, G. Wall, W. Wall, T. Ward, J. Ward and Worthington—45.

Nays—Messrs. Baylor, Beall, Berry, Caldwell, Carter, Chinn, Cunningham, Dollerhide. Duncan (of Daviess) Field, Forrest, Grant, L. Green, J. Green, Harrison, Haynes, Hickman, Howard, Jennings, Jones, Kennedy, Lackey, Lee, M'Closky, Morton, O'Bannon, Prather, Scott, Smith, Z. Taylor, Thomas, Wickliffe and Williams—33.

A message from the senate by mr. Mason :

Mr. Speaker,

The senate have passed an act curtailing the limits of the town of Mountsterling.

In which they request the concurrence of this house.

And then he withdrew.

The house took up the amendments of the senate to a bill from this house, entitled " an act for the erection of a new county out of the counties of Logan, Warren and Allen."

Which were severally twice read and concurred in. Ordered, That mr. A. Butler inform the senate thereof.

Mr. Hunter from the joint committee of enrolments, reported that the committee had examined enrolled bills of the following titles:

An act for the benefit of Charles C. Carson; an act to amend an act entitled "an act to amend the act concerning the importation and emancipation of slaves," approved February

ruary 8th, 1815; an act to incorporate the trustees of the centre college of Kentucky at Danville; an act for the benefit of Nancy Godby, Patsey Lawrence and others; and an act for the benefit of the heirs of Adam Woods and Jsrael Tully.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Hunter inform the senate thereof.

A bill for the division of Knox county was taken up, order-

ed to be engrossed and read a third time.

And thereupon the rule of the house and third reading of the said bill being dispensed with, and the same being engrossed:

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered. That mr. Parsons carry the same to the senate, and request their concurrence.

A bill to increase the wages of the members of the general assembly, was read a second time, and an amendment moved thereto.

It was then moved and seconded to lay the said bill and amendments on the table until the 1st day of April next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by messrs.

Kennedy and J. Taylor, were as follows, viz.

Yeas—Messrs. Allen, Baker, Barnett, Berry, Booker, Breathitt, A. Butler, Caldwell, Chinn, Dollerhide, Dancan (of Lincoln) Forrest, George, L. Green, Givens, Hanson, Haynes, Howard, Hunter, Jones, Lee, J. Logan, M'Closky, M'Millan, Morton, Mullens, Noland, Phelps, Prather, Robinson, Smith, Z. Taylor, Thomas, Todd, Turner, Underwood and Wickliffe—37.

Nays—Mr. Speaker, messrs. Barbour, Baylor, Beall, W. O. Butler, Carter, Coburn, Coombs, Crittenden, Cunningham, Dallam, Davis, Duncan (of Daviess) Grant, J. Green, Harrison, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Kennedy, Knight, Lackey, Lockett, Love, B. Logan, Megowan, Mercer, Miller, O'Bannon, Parsons, Pope, Ray, Rennick, Scott, Stockton, Stratton, J. Taylor, G. Wall, W. Wall, T. Ward, J. Ward Williams and Worthington—44.

The said bill and amendments were then laid on the table

for the present.

The following bills were severally read a second time, to wit:

1. A bill giving additional powers to the trustees of Louisville, and for other purposes; and 2. A bill authorising suits against heirs and devisees in certain cases, and limiting the time of bringing suit against executors and administrators.

The first being amended, was ordered to be engrossed and read a third time to-morrow; and the second, being amended, was with the amendments committed to the committee for courts of justice.

A message from the lieutenant governor by mr. Wag-

Mr. Speaker,

The lieutenant governor did on this day approve and sign enrolled bills and a resolution which originated in this house,

of the following titles :

An act to provide for furnishing the circuit courts with a copy of the statute laws; an act for the benefit of the heirs of Adam Woods and Jsræl Tully; an act for the benefit of John Woods of Mercer county; an act to amend an act concerning certain trespasses on lands; an act for the benefit of Daniel and Anthony Owsley, Jacob Boyer and Samuel Ross; an act for the benefit of Edward Maxey and John Wilson; an act to incorporate the trustees of the centre college of Kentucky at Danville; an act for the benefit of Charles C. Carson; an act for the benefit of Nancy Godby. Patsey Lawrence and others; an act to amend an act entitled, "an act to amend the act concerning the importation and emancipation of slaves," approved February 8th, 1815; and a resolution directing the joint committee appointed to examine the treasurer's office to destroy certain youchers.

And then he withdrew.

Ordered, That mr. Beall inform the senate thereof.

On motion.

Ordered, That the rule of the house and second reading of a bill for the formation of a new county out of the counties of Barren and Hardin, be dispensed with; and that the same be referred to a select committee of messrs. Underwood, Rennick, Coombs and Miller.

The house then according to the standing order of the day resolved itself into a committee of the whole house on the state of the commonwealth; mr. Ray in the chair; which being resumed by mr. Speaker, mr. Ray reported that the committee had according to order had under consideration a bill to amend the laws incorporating independent banks, and

had gone through the same with sundry amendments, which he handed in at the clerk's table.

And then the house adjourned.

FRIDAY, JANUARY 22, 1819.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By mr. Barbour-1. A bill to relieve the citizens of Jef-

ferson county from the payment of the county levy.

By mr. Crittenden-2. A bill to incorporate the Hamilton

manufacturing company.

By mr. Smith—3. A bill more effectually to prescribe the duties of clerks of courts in this commonwealth, and for other purposes.

By mr. Robinson—4. A bill providing for surveying the roads leading from Frankfort Kentucky, to Nashville Ten-

nessee, with a view to establish a state road.

Which bills were severally received and read the first time, and the first second and fourth bills ordered to be read a second time.

Ordered, That the third bill be laid on the table until the first day of April next; and that the public printers forthwith print 200 copies of the second bill for the use of the members of this house.

A message from the senate by mr. Wickliff:

Mr. Speaker,

The senate have passed a bill which originated in this house, entitled "and act imposing a tax on all banking houses not incorporated by this commonwealth."

And then he withdrew.

The house took up the bill to amend the laws incorporating independent banks; and the amendments made thereto in committee of the whole.

The said bill was then read as follows, to wit:

A BILL to amend the laws incorporating independent banks. Whereas doubts are entertained as to the amount of the tax to be paid, and when payable by the several banking institutions incorporated by the acts passed at the last session of the general assemby entitled "an act to establish independent banks in this commonwealth;" and "an act supplemental to the act establishing independent banks in this commonwealth:" To remove which,

§ 1. BE it enacted by the general assembly of the commonwealth of Kentucky. That said institutions shall annually in the month of January, pay into the public treasury of this state a tax at the rate of one half of one per cent. on the amount of the capital of such institution, which shall be paid in on the 1st day of said month. And where the said capital or any part of it, shall not have been paid in for one year before said day, the said tax shall be paid on the capital in proportion to the time which said capital or such part thereof, shall have been paid in.

6 2. The tax due from said institutions for the year 1818,

shall be paid on or before the 1st day of June next.

§ 3. The tax shall be paid on the whole amount of the stock which each institution may by law, be entitled to; unless the cashier shall make out a statement of the true amount of stock paid in, and verify the same by affidavit; and produce it to the auditor before the payment of the tax as herein directed.

§ 4. If any of said institutions shall at any time fail to pay the tax that may be due from them, it shall be lawful for the auditor of public accounts to proceed against them at the next succeeding general court, by motion without notice, under the rules and regulations and penalties relating to delin-

quent sheriffs.

§ 5. And be it further enacted, That from and after the 1st day of August next, the president and directors of each of said institutions, shall be answerable out of their private or individual estate for all notes issued or put into circulation after said date. And to prevent resignations made with a view of avoiding responsibility, a president and director shall remain liable under the meaning of this act notwithstanding any resignation, until a successor shall be elected, and shall enter upon the duties of his office.

§ 6. Every person elected as a president or director, shall before entering on the duties of his office, have a right to examine minutely into the situation of the institution, its deal-

ings and transactions.

§ 7. The stockholders of said institution shall in like marner be answerable out of their private and individual estate, to an amount equal to their stock in such institution for all

notes put in circulation after said date.

§ 8. Suits within this act against the president, directors and stockholders, to charge them in their individual characters, may be brought severally against either, or jointly against any two or more of them. But no suit shall be so

brought against them until the creditor shall first obtain judgment against the institution, and have a fieri facias placed in the hands of the proper officer, and it shall be returned in substance not satisfied. A transcript of the record of the sait against the corporation shall be evidence of the plaintiff's demand against the corporation, and of their failure or refu-

sal to pay the same.

§ 9. If any of said institutions shall, after said first day of August next, issue or circulate, or cause to be issued or circulated, any one bank note of a date prior to said day, it shall be prima facia evidence that any other note sued on after said date, has been so issued; and if any defendant shall alledge that the note sued on, was issued before and not after said day, the burthen of the proof of such allegation shall lie on the defendant: Provided, the plaintiff adduce

proof of the fact aforesaid.

6 10. It shall be lawful for any of the stockholders of any of said institutions, on or before the said first day of August next, to give notice of his wish to withdraw his stock from such institution. After such notice given, the stockholder may discount or set off his stock in such institution (according to the amount he has paid in) against any debt he may owe the institution. After such notice, the institution may, within sixty days thereafter, pay him by the assignment of any note discounted by such institution, on any person resident in the county in which the institution is situated; in which payment legal interest shall be allowed to the stockholder from the time of the last dividend made, to the time the note may fall due; but no note shall be so transferred that may be under protest. If the institution shall not so pay the stockholders giving notice as aforesaid, the amount of their stock, together with their due proportion of the dividends, shall be paid on the 1st day of January 1820, as other debts due by the institution.

§ 11. The executor or administrators of a deceased person, and the guardian or parent of any infant, may give the

notice and withdraw the stock under this act.

The first amendment proposed by said committee, to strike out the words ·· said institutions" in the first section of the hill, and in lieu thereof, to insert ·· all banks incorporated by the laws of this commonwealth."

Was also twice read.

And the question being taken on concurring in said amendment, it was decided in the negative.

The yeas and nays being required thereon by messrs.

Turner and Forrest, were as follows viz.

Yeas—messrs. Beall, Breathitt, W. O. Butler, Caldwell, Chew, Crittenden, Cunningham, Davis, Field, Forrest, Grant, L. Green, Hunter, Jennings, J. T. Johnson, Lee, Love, Megowan, O'Bannon, Owings, Sharp, Z. Taylor, J. Taylor, Turner, Underwood, G. Wall, W. Wall, Wickliffe and Williams—29.

Nays—Mr. Speaker, messrs. Allen. Baker. Barbour, Barnett, Baylor, Berry, Booker, A. Butler, Carter, Chinn, Coburn, Coombs, Dallam, Dollerhide, Duncan (of Daviess) Duncan, (of Lincoln) George, J. Green, Hanson, Haynes, Hickman, Howard, J. Johnston, B. Johnson, Jones, Kennedy, Knight, Lockett, J. Logan, B. Logan, Mercer, M Kee, M'Closky, M'Millan, Miller, Morton, Mullens, Noland, Phelps, Prather, Ray, Rennick, Robinson, Scott, Smith, Stratton, Thomas, Todd, T. Ward J. Ward and Worthing-

The second and third amendments proposed to said bill

were then disagreed to.

The fourth amendment which proposes to expunge from the second line of the fifth section the words " each of said institutions," and to insert in lieu thereof, " all institutions incorporated by the laws of this commonwealth."

Was also twice read.

And the question being taken on concurring in said amendment, it was decided in the negative.

The yeas and nays being required thereon by messrs.

Howard and Crittenden, were as follows, viz.

Yeas—Messrs. Barr, Beall, Breathitt, Chew, Cunning-ham, Forrest, Grant, L. Green, J. T. Johnson, Lee, Megowan, O'Bannon, Owings, Robinson, Sharp, Z. Taylor,

Turner, Underwood, G. Wall and Williams-20.

Nays—Mr. Speaker, messrs. Allen, Baker, Barbour, Barnett, Baylor, Berry, Booker, W. O. Butler, A. Butler, Caldwell, Carter, Chinn, Coburn, Coombs, Crittenden, Dallam, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Field, George. J. Green, Hanson, Haynes, Hickman, Howard, Hunter, Jennings, J. Johnston, B. Johnson, Jones, Kennedy, Knight, Lockett, Love, J. Logan, B. Logan, Mercer, M'Kee, M'Closky, M'Millan, Miller, Morton, Mullens, Noland, Phelps, Prather, Ray, Rennick, Scott, Smith, Stratton, J. Taylor, Thomas, Todd, W. Wall, T. Ward, J. Ward, Wickliffe and Worthington—62.

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The fifth amendment was then concurred in with an amendament.

The sixth, seventh, eighth and ninth amendments were

then twice read and disagreed to.

The tenth amendment, which proposes to add to said bill the following additional section, was also twice read, viz.

Be it further enacted, That the notes of all banks incorporated by this commonwealth, shall be received in payment of all taxes, delts and dues to the state; and in payment of county levies, so long as said banks shall conform to the conditions of their charters.

And the question being taken on concurring in the said as

mendment, it was decided in the negative.

The yeas and nays being required thereon by messrs.

Phelps and O'Bannon, were as follows, viz.

Yeas—Messrs. Booker, Breathitt, Chinn, Davis, Field, Forrest, George, Grant, Haynes, J. T. Johnson, B. Johnson, Lee, Megowan, Owings, Robinson, Scott, Sharp, Z. Taylor, J. Taylor, Turner, G. Wall, W. Wall, T. Ward and Williams—24.

Nays—Mr. Speaker, messrs. Allen, Baker, Barnett, Barr, Baylor, Beall, Berry, W. O. Butler, A. Butler, Caldwell, Carter, Coburn, Coombs, Crittenden, Dallam, Dollerhide, Duncan (of Davicss) Duncan (of Lincoln) L. Green, Hanson, Hickman, Howard, Hunter, Jennings, J. Johnston, Jones, Kennedy, Knight, Lackey, Lockett, Love, J. Logan, B. Logan, M'Closky, M'Millan, Miller, Mullens, Noland, O'Bannon, Phelps, Prather, Ray, Rennick, Smith, Stratton, Thomas, Todd, Underwood, J. Ward, Wickliffe and Worthington—52.

The eleventh and last amendment proposed to said bill being disagreed to, and the said bill being further amended.

Mr. J. Taylor then moved to attach to said bill the fol-

loing section by way of amendment, viz.

Be it further enacted, That in those cases where any independent bank of this commonwealth authorised to be incorporated by the acts approved January 26th and February 3d, 1818, shall have failed to carry the same into operation, the charter of such independent bank, is hereby repealed.

And the question being taken on agreeing thereto, it was

decided in the affirmative.

The yeas and nays being required thereon by messrs.

Barr and J. Taylor, were as follows, viz.

Yeas-Mr. Speaker messrs. Baker, Barbour, Barr, Beally Berry, Booker, Breathitt, A. Butler, Carter, Chinn, Co-

burn, Dallam, Dollerhide, Duncan (of Daviess) Field, Forrest, George, Hanson, Haynes, Hickman, Howard, Hunter, Jennings, J. Johnston, J. T. Johnson, Jones, Kennedy, Lockett, Love, J. Logan, M'Closky, M'Millan, Morton, Mullens, Noland, O'Bannon, Prather, Robinson, Sharp, Smith, Z. Taylor, J. Taylor, Thomas, Todd, G. Wall, W. Wall, T. Ward, Wickliffe and Williams—50.

Nays--Messrs. Allen, Barnett, Baylor, W. O. Butler, Caldwell, Chew, Coombs, Crittenden, Cunningham, Davis, Duncan (of Lincoln) Grant, L. Green, B. Johnson, Lackey, Lee, B. Logan, Megowan, Mercer, Miller, Owings, Phelps, Ray, Rennick, Scott, Stratten, Turner, J. Ward and Wor-

thington-29.

Mr. M'Millan then moved the following section by way of

amendment, viz.

Be it further enacted, That the notes of all those banks which comply with the provisions of this act, and which shall be issued and dated after the first day of August next, shall be received in payment of revenue tax and county levy, and paid into the public treasury in the same manner as the notes of the bank of Kentucky now are.

And the question being taken on agreeing thereto, it was

decided in the affirmative.

The yeas and nays being required thercon by messrs.

M'Millan and J. Taylor, were as follows, viz.

Yeas—Messis. Allen, Baker, Barbour, Beall, Berry, Breathitt, Chew, Chinn, Coombs, Cunningham, Davis, Dollerhide, Duncan (of Daviess) Field. Forrest, George, Grant, L. Green, Haynes, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Lackey, Lee, J. Logan, Megowan, Mercer, M'Closky, M'Millan, Miller, Morton, Mullens, Noland, O'Bannon, Owings, Prather, Rennick, Robinson, Scott, Sharp, Stratton, Z. Taylor, J. Taylor, Thomas, Turner, G. Wall, W. Wall, T. Ward and Williams—50

Nays—Mr. Speaker, messrs. Barnett, Barr, Baylor, Booker, W. O. Butler, A. Butler, Caldwell, Carter, Coburn, Crittenden, Dallam, Duncan (of Lincoln) Hanson, Hickman, Howard, Hunter, Jones, Kennedy, Knight, Lockett, Love, B. Logan, Phelps, Ray, Smith, Todd, J. Ward

and Worthington-29.

It was then moved and seconded at half after 3 o'clock, p. m. that the house adjourn.

And the question being taken thereon, it was decided in the megative.

The yeas and nays being required thereon by messrs.

Crittenden and Caldwell, were as follows, to wit :

Yeas—Messrs. Baker, Barnett, Barr, Baylor, A. Butler, Caldwell, Carter, Coburn, Coombs, Crittenden, Duncan (of Daviess) George, L. Green, Hunter, J. T. Johnson, B. Johnson, Knight, Love, B. Logan, Morton, O'Bannon,

Thomas, Turner, J. Ward and Wickliffe-25.

Nays—Mr. Speaker, messrs. Allen, Barbour, Beall, Berry, Booker, Breathitt, W. O. Butler, Chew, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Lincoln) Field, Forrest, Grant, Hanson, Haynes, Hickman, Howard, Jennings, J. Johnston, Jones, Kennedy, Lackey, Lee, Lockett, J. Logan, Megowan, Mercer, M'Closky, M'Millan, Miller, Mullens, Noland, Owings, Phelps, Ray, Rennick, Robinson, Scott, Sharp, Smith, Stratton, Z. Taylor, J. Taylor, Todd, Underwood, G. Wall, W. Wall, T. Ward, Williams and Worthington—54.

Mr. Howard then moved to attach to the amendment proposed by mr. J. Taylor, and adopted by the house, the fol-

lowing proviso, viz.

Provided, That all those banking companies who have procured their paper, and shall be ready to go into operation within 30 days after the passage of this act, shall be entitled to all the privileges and immunities granted them by acts passed 26th January and 3d February, 1818.

And the question being taken on agreeing thereto, it was

decided in the negative.

The yeas and nays being required thereon by messrs.

Howard and Worthington, were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Barnett, Baylor, Berry, W. O. Butler, Caldwell, Chew, Coombs, Dallam, Davis, Duncan (of Lincoln) Howard, B. Johnson, Lackey, B. Logan, Megowan, Mercer, M'Closky, M'Millan, Miller, Owings, Phelps, Ray, Rennick, Robinson, Scott, Stratton, Todd, Underwood and Worthington—31.

Nays—Messrs. Baker, Barbour, Barr, Beall, Booker, Breathitt, A. Butler, Carter, Chinn, Coburn, Crittenden, Cunningham, Dollerhide, Duncan (of Daviess) Field, Forrest, George, Grant, L. Green, Hanson, Haynes, Hickman, Hunter, Jennings, J. Johnston, J. T. Johnson, Jones, Kennedy, Knight, Lockett, J. Logan, Morton, Mullens, Noland, O'Bannon, Prather, Sharp, Smith, Z. Taylor, J. Taylor, Thomas, Turner, G. Wall, W. Wall, T. Ward, J. Ward, Wickliffe and Williams—48.

Mr. Barr then moved to amend said bill further, by attaching to the amendment proposed by mr. M'Millan, and adop-

ted by the house, the following proviso, viz.

Provided, however, That the note or notes of any independent bank, shall not be received in the payment of taxes or county levies, unless such bank by its president or cashier, shall on or before the 10th day of March in each year, enter into bond with the auditor of public accounts, payable to the governor of this commonwealth for the time being, and his successors, with such security as the said auditor shall approve, in the sum of ______ conditioned that such bank shall pay all notes received aforesaid. And the auditor shall certify the same to the sheriffs of the several counties accordingly, for their government in collecting the revenue taxes and county levy aforesaid.

And the question being taken on agreeing thereto, it was

decided in the affirmative.

The yeas and nays being required thereon by messrs.

Barr and Baylor, were as follows, viz.

Yeas—Mr. Speaker, messrs. Baker, Barbour, Barnet, Barr, Baylor, Beall, Berry, W. O. Butler, A. Butler, Caldwell, Carter, Chew, Chiun, Coburn, Crittenden, Dallam, Dollerhide, Duncan (of Lincoln) Forrest, Hanson, Hickman, Howard, Hunter, J. Johnston, J. T. Johnson, Jones, Kennedy, Lackey, Lockett, Love, J. Logan, B. Logan, Megowan, M'Closky, M'Millan, Miller, Mullens, Phelps, Prather, Robinson, Smith, Stratton, Z. Taylor, J. Taylor, Todd, Underwood, G. Wall, W. Wall, J. Ward, Wickliffe, Williams and Worthington—53.

Nays—Messrs. Allen, Booker, Breathitt, Coombs, Cunningham, Davis, Duncan (of Daviess) Field, George, Grant, L. Green, Haynes, Jennings, B. Johnson, Knight, Lee, Morton, Noland, O'Bannon, Owings, Ray, Renniek, Scott,

Sharp, Thomas, Turner and T. Ward-27.

The said bill with the amendments, was then ordered to be engressed and read a third time to-morrow.

And then the house adjourned.

SATURDAY, JANUARY 23, 1819.

Mr. Todd presented the petition of Frances Lewis, praying that a law may pass to divorce her from her husband, Tipton Lewis, for cruel and barbarous treatment, and abandonment for a considerable time past.

Which was received, read and referred to the committee of religion.

Mr. Underwood from the joint committee appointed to examine the bank of Kentucky, &c. made the following re-

port, viz.

THE joint committee raised to examine the state of the Bank of Kentucky and its branches, and to inquire into the causes which led to the late suspension and resumption of specie payments, have concluded the duty assigned them, and report as follows:

The capital of the institution is \$2,756,220

The capital is distributed in the following pro-

portions, to	wit:			Marin S			
Bank of Ken						650,220	
Washington l					物质的	250,000	
Paris	do.					160,000	
Winchester	do.					120,000	
Lexington-	do.	多				300,000	
Richmond	do.					120,000	調整
Danville	do.					150,000	
Springfield	do.					100,000	
Bardstown	do.					120,000	
Shelbyville	do.			-		110,000	
Louisville	do.		-			316,000	
Glasgow	do.				東ゴ学	100,000	
Russellville	do.					140,000	
Hopkinsville	do.	-	414			120,000	
The aggregate	amount o	of notes	s în ci	rcula	tion a	t	
present is						1,365,471	35
Total amount of	f deposit	es,			of the same	902,243	30
Debts due the in	nstitution	1,				4,403,165	38
Cash on hand,						764,928	36
Notes on the Ba	nk of K	entuck	y or i	ts bra	inche	S	
included in an	d report	ed as c	cash,	and a	lso re		
ported as note	es in cir	culatio	n,			110,124	14
Amount of spec	ie and no	ites, ot	her th	ian th	ose o	n	
the Bank of I	Kentuck	y or its	bran	ches,		654,804	22
Amount of speci	ie in the	vaults	of the	instit	tution	, 533,550	16
Amount of note							06
The committ	ee thous	ght pro	per t	o asc	ertain	n the avera	age
profits made by the Bank of Kentucky and its several							
branches, for the last four years. The following is the re-							
sult of the inqui	ry:	TANK!			S. A.C.	CHARLE LA	Paris.
White the second	The same of the sa						

The Bank of Ky. averaged 1	ather m	ore then	O ner cent
The Russellville branch, abou	t	-	10
The Lexington branch, about			115
And if a reserved profit, no	ot yet di	vided,	
were included, it would b	e about		13
The Louisville branch,	-		111
The Washington branch,	-9171	5023 Marie	9
The Danville branch, nearly	经验	-	9
The Paris branch,			11
The Bardstown branch,			11
The Winchester branch,			81/2
The Richmond branch,			81/2
The Hopkinsville branch,			$9\frac{1}{2}$
The Shelbyville branch,	-	A COLUMN	$9\frac{1}{2}$
The Springfield branch,			$9\frac{1}{2}$
The Glasgow branch,			10
	STATE OF THE PARTY	WILLIAM STREET, STREET	

But the committee were informed by the president of the bank, that no certain inference could be drawn from the above statement with respect to the profits afforded by bank capital in any of the situations where the funds of the Bank of Kentucky are employed; because, although the capital of each branch is established by order of the Bank of Kentucky, yet there are balances, and at times large amounts due by one establishment to another, so that at no time is any one operating precisely with its own capital. However, the subjoined statement, showing the amount of capital in the Bank of Kentucky and its branches, for the four last years, and the profits made by each in the several years, will furnish the best data to enable the legislature to judge of the relative advantages which different situations possess for the employment of bank capital.

It is with regret, that the committee observe, that the branches of the Bank of Kentucky located at Lexington and Louisville, which usually made larger profits in proportion to their capitals than any other branches of the institution, during the last year did not make as much in proportion to their capitals as many of the branches heretofore considera-

bly behind them in extent of profit.

The statement received from the president of the Bank of Kentucky by the committee, and heretofore reported as setting forth the causes which led to the suspension and resumption of specie payments by the Bank of Kentucky and its branches, was considered objectionable by the cashier of the office of discount and deposite of the United States' bank at

Lexington, as the committee have been informed, on account of an alleged variance between the agreement entered into by the said cashier for the said office, and Charles Wilkins for the Bank of Kentucky, and the statement received from the president of the Bank of Kentucky. In justice to the parties concerned, the committee subjoin a copy of the agreement, from which it will appear how far the statement received has varied from, or omitted to state the particulars of the agreement. Your committee are informed that on the 26th of October 1818, the cashier of the office of discount and deposite of the United States' bank at Lexington, gave notice to the cashier of the Bank of Kentucky, that payment would be required of the balance on interest due that office. at the expiration of thirty days. The agreement by C. Wilkins, on behalf of the bank of Kentucky, and E. Salomon, cashier, on the behalf of the office of discount and deposite at Lexington, bears date on the 24th November, but was ratified by the Bank of Kentucky on the 25th of November, and not the 24th, when the agreement bears date. The notice of the 26th October above mentioned, expiring on the same day of the ratification of the agreement, the time when payments were to be made, either under the notice or agreement, was understood by the Bank of Kentucky as the same.

MARTIN H. WICKLIFF, JAS. CRUTCHER, SAMUEL CHURCHILL, J. R. UNDERWOOD, SOLOMON P. SHARP, SAML. M'KEE, EDWD. WORTHINGTON, JOSEPH BARNETT, WILLIS FIELD.

Umaga o

Senate.

House of Rep's.

A STATEMENT,
Showing the amount of Capital in the Bank of Kentucky and its branches for the four last years, and the profits made by each in the several years.

1	1815.		1816.		1817.		1818.	
	Capital. in June.	Profits.	Capital. in June.	Profits.	Capital, in June.	Profits.	Capital. in June.	Profits.
Bank of Kentucky, Russellville branch Lexington Louisville Washington Danville Paris Bardstown Winchester Richmond Hopkinsville Springfield Glasgow	416,455 134,000 200,000 106,000 200,000 110,000 110,000	42,997 07 10,470 99 34,082 34 14,482 16 17,096 79 5,476 82 6,964 12 7,159 87	317,015 136,000 300,000 200,000 250,000 110,000 110,000 100,000 100,000 100,000	37,755 64 16,040 53 29,299 99 27,365 54 23,716 64 11,608 20 13,869 60 12,855 32 4,773 84 4,011 30 5,000 5,318 03	429,760 136,000 300,000 293,350 250,000 140,000 110,000 120,000 120,000 100,000 100,000 100,000	34,494 34 14,287 55 36,068 85 30,988 41 26,920 86 11,842 64 14,674 43 11,143 23 9,487 97 11,284 58 11,009 99 10,202 03 4,926 5,741 64	639.813 140,000 300,000 316,407 250,000 150,000 120,000 120,000 120,000 120,000 120,000 110,000 100,000	45,606 18 14,238 48 23,443 47 25,187 21 19,693 69 10,195 48 13,892 69 10,966 60 8,832 97 8,982 85 10,593 85 8,158 76 8,950 48 9,638 11

LEXINGTON, 24th Nov. 1818;

The conditions upon which the Bank of Kentucky and its branches will resume specie payments, are as follows, viz.

That for the balances now due to the office of discount and deposite B. U. S. at Lexington, they shall be indulged in payment by instalments of ten per cent. every sixty days, one half in specie and the other half in drafts on Boston, N. York, Philad'a. or Baltimore, at 60 & 90 days date, until the whole amount be discharged—one of said instalments to be paid immediately.

That for the amount of notes of the Bank of Ky. and its branches, now held by the said office, say \$81,626, they are immediately to pay one half in specie and the other half in drafts on Boston, N. York, Philad'a, or Baltimore, at not ex-

ceeding 60 & 90 days date.

CHA: WILKINS, for the Bank of Ky.

E. SALOMON, eash'r. for the pres't. & directors of the off. D. &. D. B. U. States at Lexington.

The above is a copy of the agreement entered into by Cha. Wilkins, on behalf of the Bank of Kentucky, and E. Salomon, cash'r. on behalf of the pres't. & directors off. dis. & dep. B. U. S. Lexington, on 24th Nov. 1818.

H. BLANTON, Cl'k. Bank of Ky.

Ordered, That the public printers forthwith print 400 copies of said report for the use of the members of this house.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By mr. Smith—1. A bill supplemental to an act to provide for opening a road from Mountsterling to the Virginia line by way of Prestonsburg, and for other purposes.

By mr. Harrison-2. A bill to authorise the sale of the do-

nation lands of Salem academy.

By mr. Todd—3. A bill to adjust the boundary line between this state and the state of Tennessee.

And by mr. Sharp—4. A bill to establish a literary fund. Which bills were severally received and read the first time,

and ordered to be read a second time.

And thereupon the rule of the hous

And thereupon the rule of the house and second reading of the second and third bills being dispensed with, the second bill was ordered to be engrossed and read a third time on monday next; and the third was committed to a select committee of messrs. Underwood, Todd, A. Butler, Scott, Sharp, Barr and Kennedy. Ordered, That the public printers for thwith print 200 copies of the fourth bill for the use of the members of this house.

Mr. Todd read and laid on the table the following resolution, viz.

Resolved by the general assembly of the commonwealth of Kentucky, That the acting governor be, and he is hereby authorised and requested to communicate to the executive of Tennessee, that the legislature accede to the propositions contained in the law passed by the legislature of Tennessee in November, 1817, for adjusting the boundary line between the two states; and that he is ready on the part of this state, to adopt the preparatory measures for carrying said compact into effect; and that in the event of refusal or omission on the part of the executive of Tennessee to appoint a commissioner or commissioners to carry said compact into effect; then, and in that case, the acting governor is hereby authorised to take the necessary measures for running and marking the line from the Tennessee river to the Mississippi river according to the true latitude of 36° 30' north; and that he be authorised to issue an order upon the auditor of public accounts, to reimburse the expences which may be incurred under this resolution.

Leave was given to bring in the following bills:

On the motion of mr. J. Logan—1. A bill for the benefit of the mechanics of this commonwealth.

On the motion of mr. Dollerhide-2. A bill for the benefit

of Thomas Hancock of Pulaski county.

On the motion of mr. Booker—3. A bill appropriating the bonus of the farmers and mechanics' bank of Lexington, to the Transylvania University.

And on the motion of mr. Baylor—4. A bill to authorise the circuit courts of this commonwealth to restrain the trustees of towns from an improper use of the powers given them

by law.

Messrs. J. Logan, Todd, Barbour and Pope, were appointed a committee to prepare and bring in the first; messrs. Dollerhide, Prather, Duncan (of Lincoln) Berry and M'Kee, the second; messrs. Booker. Crittenden, Sharp, Underwood, J. Green and Barr, the third; and messrs. Baylor, J. Ward, W. Wall and Hanson, the fourth.

Mr. Breathitt moved for leave to bring in a bill to authorise the surveying and settlement of the land acquired by the

hate treaty in this commonwealth.

And the question being taken on granting leave to bring in said bill, it was decided in the negative, and so the said metion was rejected.

A message from the senate by mr. Johnson : Mr. Speaker,

The senate have passed a bill concerning the duties of the register of the land office.

In which they request the concurrence of this house.

And then he withdrew.

An engrossed bill entitled "an act to amend the laws incorporating independent banks," was read a third time.

It was then moved and seconded to fill the blank in the last section with "one million of dollars" as the amount of security which the president or cashier of each independent bank should give in each and every year to secure the payment of the notes of such banks as should be received in payment of the revenue or county levy.

And the question being taken thereon, it was decided in

the negative.

The yeas and nays being required thereon by messrs. Turner and Sharp, were as follows, viz.

Yeas-Messes. Davis, Gaither, Harrison, Jennings,

Jones, Love, M'Closky, Sharp and Turner-9.

Nays—Mr. Speaker, messrs. Allen, Baker, Barbour, Barnett, Baylor, Berry, Booker, Breathitt, Carter, Chinn, Coburn. Coombs, Crittenden, Cunningham, Dallam, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Field, Forrest, L. Green, Hanson, Haynes, Hickman, Howard, Hunter. J. Johnston, J. T. Johnson, Kennedy, Knight, Lackey, Lee, Lockett, J. Logan, B. Logan, Megowan, Mercer, M'Millan, Miller, Mullens, Noland, O'Bannon, Owings, Parsons, Pope, Phelps, Prather, Ray, Rennick, Robinson, Scott, Smith, Stratfon, Z. Taylor, J. Taylor, Thomas, Todd, Underwood, W. Wall, T. Ward, J. Ward Wickliffe, Williams and Worthington—65.

The said blank being filled with twenty thousand dollars; the question was then put on the passage of the bill, which

was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Crittenden and Booker, were as follows, viz.

Yeas—Messrs. Allen, Barbour, Barnett, Baylor, Beall, Berry, Booker, Breathitt, Carter, Chinn, Coombs, Dallam, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, L. Green, Hanson, Haynes, Hickman, Howard, J. Johnston, J. T. Johnson, Jones, Kennedy, Knight, Lackey, Lee, Lockett, Love, J. Logan, B. Logan, Megowan, Mercer, M'Closky, M'Millan, Miller, Mullens, Noland, O'Bannon, Owings, Pope, Phelps, Prather, Rennick, Robinson,

Scott, Sharp, Smith, Stratton, Z. Taylor, J. Taylor, Thomas, Turner, Underwood, W. Wall, T. Ward, J. Ward,

Wickliffe, Williams and Worthington-61.

Nays—Mr. Speaker, messrs. Baker, Coburn, Crittenden, Cunningham, Davis, Field, Gaither, Harrison, Hunter, Jennings, Parsons, Ray and Todd—14.

Ordered, That mr. Sharp carry the said bill to the senate,

and request their concurrence.

A message from the senate by mr. Lee their secretary:

Mr. Speaker,

The senate have passed a bill from this house entitled " an act for the division of Knox county."

And they have passed bills of the following titles:

An act to amend and reduce into one the several acts authorising changes of venue in civil cases; an act providing for a change of venue in the case of David H. Campbell; and an act for the benefit of the heirs of John Marshall and others.

In which they request the concurrence of this house.

And then he withdrew.

A bill from the senate, entitled "an act to provide for a revision of the statute laws of this commonwealth," was read a second time, and ordered to be read a third time on monday next.

And then the house adjourned.

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MONDAY, JANUARY, 25, 1819.

The speaker of the house having returned, resumed the duties of the chair.

Mr. Smith presented the petition of Elizabeth Sillers of Rockeastle county, representing that she is entitled to 100 acres of land in said county, by virtue of a county court certificate, which by various assignments (by parol) has come into her possession; and praying that a law may pass authorising the emanation of a grant to her for said land.

Which was received, read and referred to a select com-

mittee of messrs. Smith, Forrest and M'Millan.

Mr. Beall from the joint committee of enrolments, reported that the committee had examined enrolled bills and a resolu-

tion of the following titles:

An act for the relief of Charles Willott, sen. Patrick Gilmore and others; an act to release the state's claim to salk water in certain cases; an act further to indulge the settlers on the lands acquired by the treaty of Tellico to pay the state price on their claims; an act to incorporate the Bowling Green bridge company; and a memorial and resolution respecting Christopher Miller.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Beall inform the senate thereof.

Mr. Barr presented the counter petition of the citizens of Fayette county to the bill in this house giving to the town of Lexington, in the county of Fayette, a separate representation, and establishing election precincts in said county.

Which was received, read and laid on the table. Leave was given to bring in the following bills:

On the motion of mr. Dollerhide—1. A bill giving further time to settlers on the lands acquired by the treaty of Tellico to return plats and certificates of survey.

And on the motion of mr. Jones-2. A bill for the benefit

of John Devine.

Messrs. Dollerhide, Smith, Parsons, Love and Allen, were appointed a committee to prepare and bring in the former; and messrs. Jones and Dollerhide the latter.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By mr. Dollerhide—1. A bill for the benefit of Thomas Hancock of Pulaski county.

By mr. W. Wall-2. A bill for the benefit of Christopher

Dicken, a citizen of Daviess county.

By mr. Booker—S. Abill appropriating the bonus of the Farmers' and Mechanics' Bank of Lexington, to the Transylvania University.

By mr. Dollerhide—4. A bill giving further time to settlers on the lands acquired by the treaty of Tellico to return plats and certificates of survey.

And by mr. Jones - 5. A bill for the benefit of John De-

vine.

Which bills were severally received and read the first time, and the first, second, fourth and fifth ordered to be read a second time.

And the question being taken on reading the third bill a second time, it passed in the negative, and so the said bill was rejected.

And thereupon the rule of the house and second and third readings of the first and fourth bills being dispensed with, and the same being engressed: Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That mr. Dollerhide carry the same to the senate,

and request their concurrence.

Mr. Underwood from the select committee to whom was referred a bill to adjust the boundary line between this state and the state of Tennessee, reported the same with an amendment.

Which being twice read was concurred in.

Ordered. That the said bill, as amended, be engrossed and read a third time to-morrow.

Mr. Underwood read and laid on the table the following memorial and resolution, viz.

To the Congress of the United States of America.

The memorial of the general assembly of the commonwealth of Kentucky, would again respectfully represent, that the long controverted question of boundary between this state and the state of Tennessee, although one which apparently excites but little interest in congress, has been and yet is a cause of strong sensation among the people of Kentucky. To your body we addressed a memorial during the last winter, and requested our senators and representatives to report to the governor of this state, the steps taken to effectuate the object of the memorial. We regret to say that our request has not been complied with; and such an evidence of neglect where we had a right to expect most attention, operates to cast a gloom over those hopes we entertained, in making the appeal to congress, and asking for the passage of a law under which the unpleasant dispute might be ended. We refer your body to our memorial of last winter, and we pray you to take the same into serious consideration, and give us that remedy which the federal constitution contemplates in all cases of controversy between two states. Surely it cannot be, that we are destined to petition congress in vain; and yet to carry into effect one of the wisest provisions of that constitution by which they are or ought to be regulated; and yet such has been the delay, and so frequently has the subject been postponed from session to session, that we cannot pretend to guess the time when the contest between the two states will be at an end. Heretofore congress has afforded us such little encouragement to rely on her provisions for a settlement of the controversy, that it has become a question for consideration whether we have not the right to ascertain and mark the limits of our state and her jurisdiction without the interposition of congress, in those cases where there is no difference of opinion as to the principles which are to decide. The constitution and laws of the state of Tennessee recognize the parallel of 36° 30' north latitude, as being the northern boundary of that state; the same latitude is acknowledged to be the southern boundary of Kentucky. There is, therefore, no principle involved in the dispute between the two states, and the only thing requisite to be done is to fix the agreed ideal line upon tangible and visible objects, for the guidance of the people of both states. The line run by Walker is so much obliterated, that it is in many places not known, and in many places not marked at all, and whenever found it is where it should not be; and we can see no reason why Tennessee should exercise a jurisdiction to a line never sanctioned by all the states interested, and never defined or admitted in any other manner than by the consent of those bordering on it, when the same lies further north than her constitution and laws permit her to extend her limits. Nor do we conceive any reason why we should not give our executive and judicial magistracy jurisdiction over the persons and property of all those living north of latitude 56° 30', and appoint competent persons to ascertain and fix the territorial extent of such jurisdiction. Nor do we perceive any consequences resulting to our officers from the exercise of such authority which would be prejudicial to them. Would it not be a justification to a sheriff of any county bordering on the south boundary line in Kentucky, who might serve process south of Walker's line and north of latitude 36° 30' to show in an action of trespass against him that the place of serving the process was within the chartered limits of Kentucky, and his jurisdiction extended over it? We make these suggestions for the purpose of shewing what may be attempted by our state to redress herself if congress do not provide a remedy. Many of our citizens hold property south of Walker's line, and to be precluded from the enjoyment of their rights is a grievance peculiarly aggravated by withholding the remedy in your power. We might act. but it would probably occasion a spirit of animosity to rise up in states crosely allied in interest and social intercourse. This we would avoid—a final settlement must be the work of the supreme court of the U. States, although it may be competent for l'emessee and Kentucky both in conjunction or separately, to mark their boundaries. We repeat again, that he legislature of Kentucky will be governed by the most I beral probables in relation to land claims within our chartered have granted by North Carolina or Tennessee. We

pledge the faith of the state to confirm them whenever they are settled, and do not interfere with a claim granted by Virginia or Kentucky, except such as lie below the Tennessee river. We trust that your body will not forget or disregard our repeated applications, and that they may be considered as renewed by us, we concur in the following resolutions:

Resolved by the general assembly of the commonwealth of Kentucky, That the foregoing memorial to congress, be a-

dopted as the earnest prayer of this legislature.

Resolved, That the executive of this state be, and he is hereby requested to transmit a copy of this memorial and resolutions to each of our senators and representatives in congress to be by them laid before that body.

Mr. Underwood from the select committee to whom was referred a bill to creet a new county out of the counties of Barren and Hardin, reported the same with an amendment.

Which being twice read, was concurred in.

And the said bill being further amended, was with the amendments ordered to be engrossed and read a third time.

And thereupon the rule of the house and third reading of the said bill being dispensed with, and the same being engrossed:

Resolved, That the said bill do pass, and that the title thereof, be an act to establish the county of Hart out of the counties of Barren and Hardin.

Ordered, That mr. Underwood carry the same to the sen-

ate, and request their concurrence.

A message from the senate by mr. Lee their secretary :

Mr. Speaker,

The senate have passed bills which originated in this house entitled "an act for the benefit of the devisees of John Curd and the heirs of Price Curd, deceased; and an act to extend the terms of the Christian circuit court, and to alter the time of holding the Logan circuit court, and for other purposes, with an amendment to the latter bill.

And they have passed bills of the following titles:

An act for the benefit of James Williams; and an act authorising the county coart of Muhlenberg to dispose of part of their public ground.

In which amendment and bills they request the concurrence

of this house.

And then he withdrew.

Ordered, That the second reading of a bill giving to the town of Lexington, in the county of Fayette, a separate representation, and establishing election precincts in said county, be dispensed with; and that the same together with all the petitions and counter petitions on that subject, be referred to the committee of propositions and grievances.

On motion.

Ordered, That the committee of the whole house on the state of the commonwealth, be discharged from a further consideration of a bill to amend and continue in force for a longer period the charter of the bank of Kentucky; and of a bill to alter the mode of summoning pettit jurors; that the former be re-committed to a select committee of messrs. Hardin, T. Ward, Underwood, Hickman, Howard, Booker, Harrison, Sharp, Dallam and Pope; and the latter to a select committee of messrs. Harrison, J. Logan, Dallam, Hardin, Breathitt and Baylor.

Mr. J. Taylor from the joint committee appointed to examine the auditor's office, made the following report, viz.

The joint committee of the senate and house of representatives, appointed to examine the auditor's office, have performed that service. They have with care and great labor examined the evidence in support of each charge reared against the state, in the year ending the 10th November 1818, and find the charges supported by legal evidence; they also find that the receipts correspond with the books of the treasury. They have also compared the general accounts, as stated on the auditor's books, with his report made to the legislature on the 6th day of the present session, and they find a perfect correspondence between the books and the report ; they therefore deem it unnecessary to accompany the report with a detailed statement, as it would be but a repetition of the auditor's report. The committee are not only satisfied, but highly pleased with the system and general plan of keeping the public accounts, as well as the accuracy and excellent manner in which they are kept.

It appears to your committee that two of the commissioners appointed by the Fayette county court, for taking in lists of taxable property for the year 1817, failed to perform their duty, and that lists of persons and property within the bounds of said companies have not been taken at all for the aforesaid.

year. To provide for its collection, your committee beg leave to introduce a bill for that object.

From the Senate,

WILLIAM OWENS,
HUMPHREY JONES,
JOSEPHUS PÉRRIN,
JAMES FORD,
DAVID THOMSON.

From the House of Representatives.

JOSEPH TAYLOR,
JAMES BREATHLTF,
JOSEPH BARNETT,
JAMES LOVE,
ADIN COOMBS,
HENRY RENICK,
JOHN MERCER,
W. B. CHINN,
J. S. M'GOWEN,
ALEXANDER LACKEY,
G. BERRY.

Ordered, That the said committee prepare and bring in a

bill pursuant to said report.

A bill from the senate entitled "an act to provide for a revision of the statute laws of this commonwealth;" was read

a third time as follows, viz.

6 1. BE it enacted by the general assembly of the commonwealth of Kentucky, That Robert Trimble, Martin D. Hardin and John Boyle, be, and they are hereby appointed to revise the statute laws of this commonwealth. And it shall be the duty of the said revisors, carefully to compile all the statutes of a general nature which shall be in force in this state at the time of such revisal, and arrange and digest all acts and parts of acts on the same subjects, under the same heads: and as far as practicable reduce each into the shape of one act; noting in the margin when the several provisions were passed, leaving out the preambles, except that prefixed to the penitentiary code, and such others as they may deem necessary to be retained, and not repeating the enacting clauses. And the said revisors shall further notice if any, and what alterations shall appear to be necessary, and shall prepare bills to be reported to the next annual session of the legislature, for the purpose of reducing into the most concise form, the several acts on the same subject, and to effectuate more completely what shall appear to have been the objects of the legislature; and shall make a general report of their proceedings under this act at the same time.

§ 2. That the said revisors be authorised to draw from the public treasury five hundred dollars half yearly for the

purposes of clerk hire and the purchase of stationary.

63. That the executive of this commonwealth, shall have power, if he shall think it expedient so to do, to fill such vacancies as may happen either by the death, resignation, nemoval from the state or refusal of said revisors or either of them to act; which appointment or appointments shall nevertheless be subject to the approbation of the legislature at its succeeding session.

It was then moved and seconded to lay the said bill on the

table until the 10th day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Baylor and Barr, were as follows viz.

Yeas—Mr. Speaker, messrs. Allen, Barr, Beall, Berry, Breathitt, Carter, Chew, Chinn, Coburn, Coombs, Crittenden, Dallam, Davis, Dollerhide, Duncan, (of Lincoln) George, Grant, L. Green, Harrison, Haynes, Hickman, J. T. Johnson, B. Johnson, Jones, Kennedy, Lackey, Lee, Lockett, J. Logan, Megowan, M'Closky, M'Millan, Miller, Mullens, Noland, Pope, Phelps, Prather, Ray, Rennick, Scott, Smith, Stratton, Thomas, T. Ward, J. Ward Wickliffe and Worthington—49.

Nays—Messrs. Baker, Barnett, Baylor, Booker, Cunningham, Duncan (of Daviess) Forrest, Gaither, Hanson, Jennings, J. Johnston, Knight, Love, B. Logan, Mercer, Morton, O'Bannon, Owings, Parsons, Robinson, Sharp, Z.

Taylor, J. Taylor, Turner and W. Wall-25.

Engrossed bills of the following titles:

1. An act to amend an act entitled "an act authorising certain justices of the county courts to award injunctions, writs of ne exeat and habeas corpus; 2. An act to amend an act regulating the town of Prestonsburg in Floyd county; 3. An act to repeal the act of the 23d January, 1818, relative to Morgantown; 4. An act to amend the laws concerning the limitations of actions; 5. An act to amend the several acts respecting the town of Georgetown; 6. An act for the benefit of John P. Thomas, late treasurer; 7. An act to declare Sandy river a navigable stream; 8. An act giving additional powers to the trustees of the town of Louisville, and for other purposes; and 9. An act to authorise the sale of the donation lands of the Salem academy.

Were severally read a third time.

Resolved, That the first, second, third, fifth, seventh and ninth bills do pass; that the titles of the first, second, third and ninth bills be as aforesaid; that the title of the fifth be

amended to read "an act to regulate certain towns in this commonwealth," and that of the seventh be "an act to declare Great Sandy river a navigable stream."

And the question being taken on the passage of the fourth bill it was decided in the negative, and so the said bill was

rejected.

Ordered, That the eighth bill be re-committed to a select

committee of messsrs. Pope, Barbour and Hardin.

And the question being taken on the passage of the sixth bill, it was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Smith and Jones, were as follows, viz.

Yeas—Mr. Speaker, messrs, Allen, Baker, Barbour, Barnett, Barr, Baylor, Beall, Berry, Carter, Chem, Chinn, Coombs, Crittenden, Cunningham, Duncan (of Daviess) Gaither, George, Grant, L. Green, Hardin, Harrison, Haynes, Hickman, Hunter, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Kennedy, Knight, Lackey, Lee, Lockett, Love, J. Logan, B. Logan, Megowan, M'Closky, Miller, Morton, Owings, Parsons, Phelps, Prather, Ray, Rennick, Scott, Charp, Stratton, J. Taylor, W. Wall, T. Ward, J. Ward and Worthington—55.

Nays—Messrs. Breathitt, Duncan (of Lincoln) Forrest, Jones, M'Millan, Noland, O'Bannon, Pope, Robinson, Smith, Z. Taylor, Thomas, Tarner, Underwood and Wick-

liffe—15.

Ordered, That mr. Williams carry the first; mr. Lackey the second and seventh; mr. Davis the third; mr. J. T. Johnson the fifth; mr. Todd the sixth; and mr. Harrison the ninth bills to the senate, and request their concurrence.

On motion,

Ordered, 'That mr. J. Johnston be added to the joint committee of enrolments on the part of this house; and that mr. Beall inform the senate thereof.

The following bills were severally read a second time,

to wit:

1. A bill for the benefit of Conrad Baker of Casey county; 2. A bill allowing coroners and clisors pay for certain services; 3. A bill to amend the several acts concerning surveyors of roads; 4. A bill to amend an act entitled an act incorporating the Lexington and Louisville turnpike road company;" 5. A bill to authorise William and James Newton to build a dam and water grist and saw-mill on Rough creek in Ohio county; and 6. A bill to alter and amend the law concerning usury.

The first, second, fifth and sixth were severally ordered to be engrossed and read a third time, the three latter on tomorrow; the third was committed to the committee to whom was referred so much of the lieutenant governor's message as relates to roads; and the fourth was committed to a select committee of messrs. Hardin, J. Logan, Pope and Todd.

And thereupon the rule of the house and third reading of the first bill being dispensed with, and the same being en-

grossed:

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered, That mr. Dollerhide carry the same to the senate, and request their concurrence.

And then the house adjourned.

TUESDAY, JANUARY 26, 1819.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of

the following titles:

An act imposing a tax on all banking houses not incorporated by this commonwealth; an act for the division of Knox county; and an act for the erection of a new county out of the counties of Logan, Warren and Allen.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Johnston inform the senate thereof.

Mr. Caldwell presented the petition of the trustees of Nicholasville, praying that the general laws in relation to towns may be revised, digested and embodied into one act; and that the laws relating to the town of Nicholasville may be

changed and amended.

Mr. Beall presented the petition of Peter Sibert, praying that the act under the faith of which he erected a mili-dam and mills, approved February 4, 1817, may be amended so as to give him liberty to repair his dam when injured, and to exempt him from liability on account of boats stove by neglect of their owners, who do not take said boats over the slope which he has made to said dam.

And mr. Booker presented a letter from Joseph Ray, addressed to the representation of Washington county, on the

subject of said mill-dam.

Mr. Breathitt presented the petition of the citizens of Greensburg, praying that a law may pass authorising the

trustees of said town to levy and collect a greater amount of taxes than they are now authorised to do.

And mr. Berry presented the petition of sundry citizens of Wayne county, praying that a law may pass to alter the

mode of summoning pettit jurors.

Which petitions were severally received, read and refered; the first to the committee of propositions and grievances; the second and third to a select committee of messrs. Beall, Booker and B. Logan; the fourth to a select committee of messrs. Barrett, L. Green and Wickliffe; and the fifth to the committee to whom was referred a bill to alter the mode of summoning petiti jarors.

Mr. Worthington from the committee of propositions and

grievances, made the following report, viz.

The committee of propositions and grievances have according to order, had under consideration the petition of David Logan, representing that on his trial on charges preferred against him at the last session of the general assembly to remove him from his office of justice of the peace for Fayette county, he was not fully and fairly heard, and praying for a re-hearing to them referred; and have come to the following resolutions thereupon, to wit:

Resolved, That this committee feel themselves unauthorised under the constitution and laws of this commonwealth, to examine the proceedings of a committee of a former session of

the legislature.

Resolved, That the petition of David Logan referred to this committee opens an inquiry into the proceedings of the committee of a former session of the legislature.

Resolved, That the said petition be rejected.

Mr. Hardin then moved the following in lieu of said re-

port, viz.

The committee of propositions and grievances to whom was referred the petition of David Logan, and that of sundry citizens of Fayette on behalf of said Logan, have had the same under consideration, and come to the following report thereon:

It appears that a petition for removing said Logan from office as a justice of the peace for Fayette county, was presented to this house at its last session, and was referred to a select committee; that while the committee were proceeding with the evidence a difference in opinion arose between the committee and the counsel of David Logan as to the course to be pursued; on which the counsel being overruled in the course they desired the committee to take, they togeth-

er with said Logan withdrew from the committee, and would not cross examine the evidence offered, nor adduce any evi-

dence on their part, although notified so to do.

That on the committees making their report to the house. the said Logan by his counsel addressed a letter to the speaker, in which he entered his protest against the report of the committee, and wished the house to disregard it; but neither offered any evidence on his part, nor asked an opportunity to do so. The house under these circumstances proceeded to decide on his case, and decided against him. The senate concurred in part of the charges, and the accused was removed from office. He now petitions this house to take up the accusations anew, and hear him and his evidence, and restore

him to his character.

Under this view of the case, your committee without meaning to decide whether this house possess the power to re-examine the decisions of their predecessors which have been executed; and without intending to approbate the whole course taken by the committee, particularly in the latitude allowed in the evidence against the accused. They are of opinion he had at that session an opportunity of cross examining the witnesses against him-of adducing his exculpatory evidence-of being heard by himself and counsel-and having chosen at that time to abandon these rights and leave his case to its fate, they can see no reason for the general assembly at this session taking the subject again into consideration: Therefore.

Resolved, That the committee of propositions and grievances be discharged from the further consideration of said petitions.

Which being twice read.

Ordered, That the said report and amendment be laid on

the table until the first day of June next.

Mr. J. Johnston from the committee of enrolments, reported that the committee had according to order deposited in the office of the secretary of state for the approbation and signature of the lieutenant governor, the bills signed on this day by the speaker of this house.

Mr. Hardin from the committee for courts of justice,

made the following report, to wit:

The committee for courts of justice have had the petitions of John Christian and John M'Gee under consideration, and have come to the following resolutions thereon:

Resolved, That the petition of John Christian, be rejected. Resolved, That the petition of John M'Gee, be rejected.

Which being twice read, was concurred in.

Mr. Hardin from the same committee also reported a bill authorising suits against heirs and devisees in certain cases, and limiting the time of bringing suits against executors and administrators, with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill, as amended be engrossed and

read a third time to-morrow.

Mr. Pope from the select committee to whom was referred an engrossed bill entitled "an act giving additional powers to the trustees of the town of Louisville, and for other parposes, reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill be re-engrossed, as amended,

and again read a third time.

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And thereupon the rule of the house and third reading of said bill being dispensed with, and the same being re-engrossed:

Reselved, That the said bill do pass, and that the title thereof be amended to read " an act giving additional powers to the trustees of the towns of Louisville and Nicholasville, and for other purposes.

Ordered, That mr. Pope carry the said bill to the senate,

and request their concurrence.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By mr. Smith-1. A bill for the benefit of Elizabeth Sellers.

By mr. Ray-2. A bill to amend an act regulating divor-

And by mr. Barrett-S. A bill concerning the town of Greensburg.

Which bills were severally received and read the first time,

and ordered to be read a second time.

And thereupon the rule of the house and second and third readings of the third bill being dispensed with, and the same being engrossed:

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered, That mr. Barrett carry the said bill to the senate,

and request their concurrence.

Mr. Underwood from the select commmittee to whom was referred a bill to amend the charter of the bank of Green river, reported the same without amendment.

Which said bill was then again read as follows, vize

A BILL to amend the charter of the Bank of Green River.

§ 1. BE it enacted by the general assembly of the common-wealth of Kentucky, That the president, directors and company of the Bank of Green River, be and they are hereby authorised in their corporate capacity to resume their ordinary operations under the act entitled "an act to establish independent banks in this commonwealth," approved January 26th, 1818, upon the following terms and conditions, to wit:

First.—The president and directors of said bank shall be bound jointly and severally in their individual capacities, to pay and discharge in specie all notes heretofore or which may hereafter be thrown into circulation by said corporation, whether the same be payable to the bearer or to any individual or individuals or body corporate, or to his, her, their or

its indorser.

Second.—The notes heretofore thrown into circulation by said corporation, shall be paid and discharged as follows, to wit: One fifth in 60 days; one fifth in 120 days; one fifth in 180 days; one fifth in 240 days, and one fifth in 300 days. And when the holder or indorser of any note or notes heretofore issued by said corporation, shall present the same for payment, it shall be the duty of the president and cashier of said bank to execute and deliver to such holder or indorser, post notes signed by the president, and countersigned by the cashier; which post notes shall be for one fifth of the amount of notes presented for payment, made payable in 60, 120, 180, 240 and 300 days as aforesaid, and which post notes shall bear interest from the 25th day of November, 1818, and shall be so expressed on the face of them.

Third.—All notes heretofore issued by said corporation, and which are presented for payment, and shall not be taken up by post notes as aforesaid, may be protested by a notary public, and shall thereafter carry interest from the said 25th of November, at the rate of ten per centum per annum until

paid.

Fourth—So much of the original charter as provides that the said corporation may redeem its notes by the payment of notes on the bank of Kentucky or its branches, and the bank of the U. States or its branches, to be repealed.

Fifth.—All notes hereafter issued by said corporation, to be paid and discharged when presented, in specie, and not to be taken up by post notes as is provided for those heretofore issued.

Sixth.—The president and directors of said corporation. shall annually during the continuance of the charter on the day after their election, and before they enter on the discharge of their duties, execute bond to the commonwealth of Kentucky, in the penalty of \$ 50,600 conditioned well and truly to pay all debts contracted by said corporation whenever the same shall be demanded at the banking house or office of said corporation; which said bond may be put in suit from time to time by any person or persons or body corporate injured by a breach of the condition thereof, and judgment obtained thereon, on which judgments execution shall issue at the option of the party for whose use the suit is brought against the lands and tenements, goods and chattels either of the said corporation or of the said president and directors or either of them; which executions shall be satisfied by levy and sale of the property seized, without allowing a replevin: Provided 20 days notice be given by the officer of the time and place of sale at two public places most convenient to the place of sale: Provided also, that said bond shall not be void on the first recovery of the penalty thereof: And provided also, that any director elected or appointed to fill vacancies occasioned by death, resignation or otherwise, at any time after the stated annual election, shall before he enters on the discharge of the duties of his office, enter into bond as aforesaid: Which bond or bonds shall be filed in the clerk's office of the circuit court for Barren county, to be safely kept by the clerk, who shall attest the same.

Seventh .- The stockholders in said corporation, shall be bound individually for the debts owed by the said corporation hereafter contracted, to an amount equal to their stock and And it shall and may be lawful for the holder or indorser of any note or bill on said corporation, to institute an action of debt for the whole amount of his claim against any stockholder (having first demanded payment at the banking house of said corporation) and obtain judgment thereon, which judgment shall be carried into effect as in other cases: Provided, that no judgment shall be entered for a larger sum than the amount of stock owned by the stockholder against whom the suit is brought: And provided also, that the stockholders who have once paid an amount, exclusive of costs. equal to their stock, shall be exempt from further suits and actions, and shall also have a remedy by motion against their co-stockholders in any court of competent jurisdiction, to coerce those who have not been sued and paid a sum equal to their stock, to contribute in proportion to their stock to reimburse the stockholder against whom judgment has been obtained and the amount thereof satisfied.

Eighth.—The president and directors shall publish annually in some newspaper of this state authorised by law to insert advertisements, the names of all those who were stockholders on the day of the annual election for officers, and no transfer of stock made by a stockholder after suit is brought against him, shall defeat the action.

Ninth.—The holders of notes heretofore issued by said corporation, who do not consent to receive post notes as aforesaid, shall not be entitled to institute suit on the bond of the president and directors, nor against a stockholder until the expiration of 300 days from and after the first day of March next; but shall be left to their remedy allowed

by law.

§ 2. Be it further enacted, That the said president and directors shall signify their assent or dissent to the terms and conditions aforesaid, on or before the first day of March next, by a resolution of their board, in which two thirds shall concur, and if two thirds assent to the said terms and conditions, the same shall constitute a part of the charter of said corporation, and shall thenceforward be obligatory on the same to all intents and purposes; and the said president and directors shall proceed thereafter as soon as may be to execute the bond in the penalty of \$50,000, and to file the same with said clerk as aforesaid.

§ 3. Be it further enacted, That if the president and directors of said corporation assent as aforesaid to the foregoing terms and conditions by a concurrence of two thirds, and the president or one or more of the directors should dissent and refuse to enter into bond as aforesaid, it shall be lawful for those assenting to said terms and conditions to declare the seats of those who dissent, vacated, and to proceed to fill

the vacancies.

§ 4. Be it further enacted, That if the president and directors of said corporation do not assent to the terms and conditions aforesaid, by a concurrence of two thirds as aforesaid (in which case they shall declare their dissent by a resolution of their board, and have the same published in some authorised newspaper on or before said 1st day of March next,) it shall and may be lawful for the president, directors and company of the Bank of Green Rivier, to transact all business in their corporate capacity which by their original charter they might or could do, having the same right to sue and be sued until the first day of July, 1820; and all suits

and actions commenced before said first day of July, 1820, by or against the president, directors and company of the Bank of Green River, shall be continued thereafter until the same shall be decided on its merits: *Provided*, that nothing in this section contained shall be so construed as to authorise said president and directors to issue or re-circulate notes on said corporation.

The question was then taken on engrossing the said bill and reading it a third time, upon which it was decided in the ne-

gative, and so the said bill was rejected.

The yeas and nays being required thereon by messrs.

Barr and Underwood, were as follows, viz.

Yeas—Messrs. Breathitt, Coburn, Coombs, Cunningham, Davis, Gaither, Grant, Givens, Harrison, Kennedy. Knight, Lackey, Lee, J. Logan, B. Logan, Megowan, Mercer, Mullens, Owings, Parsons, Ray, Rennick. Scott. Sharp, Smith, Stockton, Stratton, Underwood, W. Wall and J. Ward—30.

Nays-Mr. Speaker, messrs. Allen, Baker, Barnett, Barr, Barrett, Beall, Berry, Booker, W. O. Butler, Caldwell, Carter, Chew, Crittenden, Dallam, Dollerhide, Dancan (of Daviess) Duncan (of Lincoln) Forrest, George, L. Green, Hanson, Hardin, Haynes. Hickman, J. Johnston, J. T. Johnson, Jones, Lockett, M'Closky, M'Miltan, Miller, Morton, Noland, O'Bannon, Pope, Phelps, Prather, Robinson, Z. Taylor, J. Taylor, Thomas, Todd, Turner, G. Wall, T. Ward, Wickliffe, Williams and Worthington—49.

Mr. Crittenden presented the memorial of the trustees of Lexington, and sundry petitions of the citizens of Fayette, remonstrating against the passage of the bill giving the town of Lexington a separate representation, and creating elec-

tion precincts in said county.

Which were received, and with the accompanying documents referred to the committee of propositions and grievances.

On motion.

Ordered, That mr. A. Butler have leave of absence from the service of this house until Safurday next.

On the motion of mr. Hardin,

Ordered, That leave be given to bring in a bill to increase the fees of the sergeant of the court of appeals; and that messes. Hardin, Todd, J. Logan and Pope, be appointed a committee to prepare and bring in the same.

A message from the senate by mr. Griffin:

Mr. Speaker.

The senate have passed a bill from this house entitled "an act for the benefit of Thomas Hancock of Pulaski county;" and an act for the benefit of Conrad Baker of Casey county.

And then he withdrew.

Mr. Smith from the majority on the vote by which a bill appropriating the bonus of the Farmers' and Mechanics' Bank of Lexington to the Transylvania University was rejected, moved for a re-consideration of said vote; and the question being taken on granting such re-consideration, it was decided in the affirmative.

The said bill was then ordered to be read a second time; and the rule of the house and second reading of the bill being dispensed with, the same was committed to a select committee of messrs. Harrison, Sharp, Booker, Hardin, Crittenden, J. Logan, Hanson, Baylor, Coburn and Chew.

A message from the senate by mr. Crutcher:

Mr. Speaker,

The senate have passed a bill which originated in this house entitled " an act for the formation of the county of Hart out of the counties of Barren and Hardin.

And then he withdrew.

A message from the senate by mr. Lee their secretary:
Mr. Speaker,

The senate have received official information that the lieutenant governor did on yesterday approve and sign enrolled bills which originated in that house of the following titles:

An act to incorporate the Bowling-Green bridge company; an act for the relief of Charles Willott, sen. Patrick Gilmore and others; an act further to indulge the settlers on the lands acquired by the treaty of Tellico to pay the state price on their claims; an act to release the state's claim to salt water in certain cases; and a memorial and resolution respecting Christopher Miller.

They have passed bills which originated in this house of

the following titles:

An act for the regulation of certain towns in this commonwealth; an act giving further time to the settlers on the lands acquired by the treaty of Tellico to return plats and certificates of survey; an act concerning the town of Greensburg; and an act authorising Walter Preston to convey certain lands in this commonwealth, with an amendment to the latter bill.

And they have passed bills of the following titles :

An act for opening a road from Danville to the Tennessee fine; an act directing the clerk of Mason county to transcribe a certain record book; an act to incorporate the Eddyville steam-mill company; an act altering the terms of the circuit courts of Bath, Floyd and Greenup counties; and an act to amend an act entitled " an act to amend an act concerning occupying claimants of land."

In which amendment and bills they request the concurrence

of this house.

And then he withdrew.

A message from the senate by mr. Wickliff:

The senate have passed a bill entitled " an act to authorise the county court of Nelson to build a permanent bridge across Salt river."

In which they request the concurrence of this house.

And then he withdrew.

Ordered, That a bill for classing tobacco and the amendment proposed thereto, be placed in the orders of the day.

The house took up the amendments proposed by the senate to a bill from this house entitled " an act to extend the terms of the Christian circuit court, and to alter the time of holding the Logan circuit court.

Which being twice read, were concurred in.

Ordered, That mr. Booker inform the senate thereof.

An engrossed bill entitled " an act to provide for a revision of the statute laws of this commonwealth," was read a third time and the blank therein filled.

The question was then put on the passage of said bill,

which was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Prather and Booker, were as follows, viz.

Yeas-Messrs. Booker, Carter, Cunningham, Dallam, Davis, Duncan (of Daviess) Forrest, Hardin, Hickman, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Lackey, J. Logan, B. Logan, Megowan, Mercer, M'Millan, O'Bannon, Owings, Phelps, Rennick, Robinson, Scott, Smith, Stockton, Todd, Turner, Underwood, G. Wall, W. Wall, T. Ward and Worthington-34.

Nays-Messrs, Allen, Berry, Breathitt, Caldwell, Chew, Coombs, Duncan (of Lincoln) George, Grant, L. Green, Harrison, Haynes, Jones, Kennedy, Lee, Lockett, M'Closky, Miller, Noland, Pope, Prather, Ray, Sharp, Stratton, Z. Taylor, J. Taylor, Thomas, J. Ward and Wickliffe 29.

Ordered, That mr. Booker carry the said bill to the senate, and request their concurrence.

Engrossed bills of the following titles:

1. An act allowing coroners and clisors pay for certain services; and 2. An act to authorise William and James Newton to build a dam, and water grist and saw-mill on Rough creek in Ohio county.

Were severally read a third time.

Resolved, That the said bills do pass, and that the titles

thereof be as aforesaid.

Ordered, That mr. Worthington carry the first, and mr. J. Johnston the second bill to the senate, and request their con-

Ordered, That the second reading of a bill to create a literary fund, be dispensed with, and that the same be referred to a select committee of messrs. Harrison, Sharp, Booker, Crittenden, J. Logan, Hardin, Hanson, Baylor, Coburn and

And then the house adjourned.

WEDNESDAY, JANUARY 27, 1819.

Mr. Ray from the committee of religion, reported a bill for the benefit of France. Lewis.

Which was received and read the first time, and ordered

to be read a second time.

And thereupon the rule of the house and second and third readings of said bill being dispensed with, and the same being engrossed :

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered, That mr. Ray carry the same to the senate, and

request their concurrence.

A bill from the senate entitled "an act to amend the act regulating the towns of Millersburg, Paris, Bairdstown, and for other purposes," approved February 4, 1817; and a bill entitled " an act for the benefit of James Elder,"

Were severally read the first time and ordered to be read

a second time.

And thereupon the rule of the house and second and third readings of said bills being dispensed with:

Resolved, That the said bills do pass, and that the titles

thereof be as aforesaid.

Ordered, That mr. George inform the senate thereof.

A message from the senate by mr. Jones :

Mr. Speaker,

The senate have passed a bill which originated in this house entitled "an act to alter the terms of the Clarke and Estill circuit and county courts," with an amendment.

In which they request the concurrence of this house.

And then he withdrew.

Bills from the senate of the following titles:

1. An act to incorporate the Beech fork navigation company; 2. An act concerning the turnpike and wilderness road; 3. An act to amend and reduce into one the several acts authorising the changes of venue in civil cases; 4. An act allowing an additional number of justices of the peace to the counties of Bath, Whitley and Nelson; and 5. An act vesting certain powers in the trustees of the towns of Flemingsburg and Lebanon.

Were severally read the first time and ordered to be read

a second time.

And thereupon the rule of the house and second reading of the first, third fourth and fifth bills being dispensed with, the first was committed to a select committee of messrs. Harrison, Beall, M'Closky, Baylor, Hardin, Dallam, Booker and Coombs; the third to the committee for courts of justice; and the fourth and fifth (the fourth having been amended at the clerk's table) was ordered to be read a third time.

And thereupon the rule of the house and third read-

ings of the two latter bills being dispensed with :

Resolved, That the said bills do pass.

Ordered, That mr. Lee inform the senate, and request their concurrence in the amendments proposed to the fourth bill.

A bill to amend the act establishing a turnpike on the road from the mouth of Big Sandy through the counties of Green-up and Lewis in the direction of Flemingsburg to Joseph Watkins's,

Was read a second time.

It was then moved and seconded to lay the said bill on the table until the first day of June next.

And the question being taken thereon, it was decided in the nagative.

The yeas and nays being required thereon by messrs. Noland and Stratton, were as follows, viz.

Yeas-Messrs. Allen, Barrett, Berry, Breathitt, W. O. Butler, Caldwell, Chew, Cunningham, Duncan (of Daviess)

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Duncan (of Lincoln) Forrest, George, L. Green, Haynes, Jones, Kennedy, Knight, Lee, J. Logan, Morton, Noland, Pope, Phelps, Ray, Robinson, Scott, Smith, Z. Taylor,

Thomas, Turner, Wickliffe and Worthington-32.

Nays—Mr. Speaker, messrs. Barnett, Barr, Beall, Booker. Carter, Coburn, Coombs, Crittenden, Dallam, Davis, Field, Gaither, Grant, Hanson, Hardin, Harrison, Hunter, Jennings, J. T. Johnson, B. Johnson, Lackey, Lockett, Love, B. Logan, Megowan, Mercer, M'Closky, M'Millan, Miller, O'Bannon, Owings, Parsons, Sharp, Stockton, Stratton, J. Taylor, Todd, Underwood G. Wall, T. Ward, J. Ward and Williams—43.

It was then moved and seconded to fill the blank in said

bill with "two thousand dollars."

And the question being taken thereon it was decided in the affirmative.

The year and nays being required thereon by messrs,

Phelps and Stratton, were as follows viz.

Yeas—Mr. Speaker, messrs, Baker, Barbour, Barnett, Barr, Baylor, Caldwell, Carter, Coburn, Coombs, Dallam, Davis, Field, Gaither, Grant, Hardin, Harrison, Jennings, J. T. Johnson, B. Johnson, Lackey, Lockett, Love, B. Logan, Megowan, Mercer, M'Closky, M'Millan, O'Bannon, Owings, Rennick, Sharp, Stockton, Stratton, J. Taylor, Underwood, G. Wall, T. Ward, J. Ward and Williams—40.

Nays—Messrs. Allen, Barrett, Beall, Berry, Booker, Breathitt, W. O. Butler, Cunningham, Duncan (of Daviess) Duncan, (of Lincoln) Forrest, George, L. Green, J. Green, Givens, Hanson, Haynes, Jones, Kennedy, Lee, J. Logan, M'Kee, Miller, Morton, Noland, Pope, Phelps, Ray, Robinson, Scott, Smith, Z. Taylor, Thomas, Turner, Wickliffe and Worthington—36.

The said bill was then ordered to be engrossed and read a

third time to-morrow.

The house took up the report and resolution of the committee for courts of justice, to whom was referred an act for the relief of the administrators and heirs of John Stapp, deceased; the said resolution being laid on the table, the bill was amended, and ordered to be read a third time.

And thereupon the rule of the house and third reading of

said bill being dispensed with:

Resolved, That the said bill as amended, do pass.

Ordered, That mr. Gaither inform the senate thereof, and request their concurrence in said amendments.

A message from the senate by mr. Wickliff:

Mr. Speaker,

The senate have adopted a resolution for a final adjournment of the legislature.

In which they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Bledsoe;

Mr. Speaker,

The senate have disagreed to a bill which originated in this house, entitled "an act concerning commonwealth's attornies.

And then he withdrew.

The house took up the amendments proposed by the sen-

ate, to bills from this house of the following titles.

An act to alter the terms of the Clark and Estill circuit and county courts; and an act authorising Walter Preston to convey certain lands within this commonwealth.

Which being severally twice read, were concurred in with an amendment to the amendment proposed to the former bill.

Ordered, That mr. M'Millan inform the senate thereof, and request their concurrence in said amendment.

The following bills were severally read a second time,

to wit:

1. A bill authorising the payment of a sum of money due by the commonwealth to John Hunter; 2. A bill for the benefit of Christopher Dicken, a citizen of Daviess county; 3. A bill to provide for surveying and carrying into grant entries made on the south and west of the Tennessee river, and for other purposes; 4. A bill to erect a new county out of the counties of Franklin, Pendleton and Scott; 5. A bill concerning the town of Versailles; 6. A bill regulating the fees of tobacco inspectors in this commonwealth; and 7. A bill to establish the town of Bloomfield in Nelson county.

The first, fourth and fifth were severally ordered to be engrossed and read a third time; the third was committed to a select committee of messrs. Underwood, Sharp, A. Butler, Hardin, Barr and Breathitt; the seventh to a select committee of messrs. J. Logan, M'Closky, Harrison and Hardin.

And the question being taken on engrossing the second bill and reading it a third time, it passed in the negative, and

so the said bill was rejected.

It was then moved and seconded to lay the sixth bill on

the table until the fourth day of July next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Lockett and Chew, were as follows, viz.

Yeas—Messrs. Allen, Beall, Berry, Booker, W. O. Butler, Caldwell, Cunningham, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, Gaither, L. Green, J. Green, Hanson, Harrison, Haynes, Hickman, Jennings, J. Johnston, Lee, J. Logan, M'Closky, M'Millan, Miller, Noland, Phelps, Prather, Ray. Rennick, Robinson, Smith, Stockton, Z. Taylor, J. Taylor, Turner, W. Wall, Wickliffe, Williams and Worthington—40.

Nays—Mr. Speaker, messrs. Barbour, Baylor, Carter, Chew, Coombs. Davis. Field, Grant, Givens. Hardin, J. T. Johnson, B. Johnson, Kennedy, Lackey, Lockett, Megowan, Mercer, M'Kee, Owings, Parsons, Pope, Stratton, Todd,

Underwood, G. Wall and J. Ward-27.

And thereupon the rule of the house and third readings of

the first, fourth and fifth bills being dispensed with:

Resolved. That the said bills do pass; that the titles of the first and fifth be as aforesaid; and that of the fourth be amended to read "an act to erect the county of Owen out of the counties of Franklin, Scott and Pendleton.

Ordered, That mr. G. Wall carry the first; mr. Todd the fourth; and mr. Hunter the fifth bills to the senate, and

request their concurrence.

The following bills from the senate, were severally read the first time and ordered to be read a second time, viz.

1. An act concerning the duties of the register of the land offie; 2. An act to erect an election precinct in Estill county; and 3. An act for the relief of the surveyors of Jefferson and Garrard counties.

And thereupon the rule of the house and second readings of said bills being dispensed with; the first was referred to the committee for courts of justice; and the second and third (being amended at the clerk's table) were ordered to be read a third time.

And thereupon the rule of the house and third reading of

said bills being dispensed with:

Resolved, That the said bills do pass, as amended.

Ordered, That mr. Barbour inform the senate thereof, and request their concurrence in said amendments.

A message from the senate by mr. Jones:

Mr. Speaker,

The senate concur in the amendments proposed by this house, upon concurring in those proposed by the senate, to

the bill from this house entitled "an act to alter the terms of the Clarke and Estill circuit and county courts."

And then he withdrew.

Mr. M'Millan from the select committee to whom was referred a bill to amend the several acts concerning surveyors of roads, reported the same with an amendment.

And then the house adjourned.

THURSDAY, JANUARY 28, 1819.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of

the following titles:

An act concerning the town of Greensburg; an act giving further time to the settlers on the lands acquired by the treaty of Tellico to return plats and certificates of survey; an act for the benefit of Thomas Hancock of Pulaski county; an act for the erection of the county of Hart out of the counties of Barren and Hardin; an act for the benefit of Conrad Baker of Casey county; an act to regulate certain towns in this commonwealth; an act for the benefit of the devisees of John Curd and the heirs of Price Curd; an act to extend the Madison and Clarke circuit courts, and altering the time of holding the Estill circuit and county courts; an act to extend and alter the time of holding certain circuit courts; and an act to amend the act regulating the towns of Millersburg, Paris, Bairdstown, and for other purposes, approved February 4th, 1817.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Johnston inform the senate thereof.

Mr. J. Legan from the select committee to whom was referred a bill to establish the town of Bloomfield in Nelson county, reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Beall from the select committee appointed for that purpose, reported a bill to amend an act for the benefit of Peter Sibert.

Which was received and read the first time, and ordered

to be read a second time.

And thereupon the rule of the house and second and third readings of said bill being dispensed with, and the same being engrossed:

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That mr. Beall carry the said bill to the senate, and request their concurrence.

A message from the senate by mr. Barry :

Mr. Speaker,

The senate have unanimously passed a bill entitled "an act for the benefit of Eliza G. Ball.

In which bill they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Griffin:

Mr. Speaker,

The senate have passed a bill entitled "an act for the benefit of Rebecca Gill.

In which bill they request the concurrence of this house.

And then he withdrew.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had deposited in the office of the secretary of state for the approbation and signature of the lieutenant governor, the enrolled bills signed by the speaker on this day.

Mr. Booker from the majority on the vote by which a bill to amend the charter of the bank of Green river was rejected, moved for a re-consideration of said vote; and the question being taken on granting such re-consideration, it was

decided in the affirmative.

The said bill being then amended,

Mr. Duncan (of Lincoln) then moved to attach to said bill

the following additional section, viz.

Be it further enacted, That nothing herein contained shall be so construed as to authorise said bank to issue any more bank paper, or to re-issue or put into circulation any notes heretofore issued.

And the question being taken on agreeing thereto, it was

decided in the negative.

The yeas and nays being required thereon by messrs.

Howard and Smith, were as follows, viz.

Yeas—Messrs. Baker, Barnett, Barr, Barrett, Beall, Berry, W. O. Butler, Chew, Cunningham, Dallam, Doller-hide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, L. Green, J. Green, Givens, Hanson, Hardin, Haynes, Hickman, Howard, Hunter, Jennings, Lockett, M'Closky, M'-Millan, Noland, O'Bannon, Phelps, Prather, Robinson, Z. Taylor, J. Taylor, Thomas, Turner and Worthington—37.

Nays—Mr. Speaker, messrs. Allen, Booker, Breathitt, Caldwell, Carter, Coburn, Coombs, Davis, Gaither, George, Grant, Harrison, J. T. Johnson, B. Johnson, Kennedy, Knight, Lackey, Lee, Love, J. Logan, B. Logan, Megowan, Mercer, M'Kee, Miller, Morton, Mullens, Owings, Parsons, Pope, Ray, Rennick, Scott, Sharp, Smith, Stockton, Stratton, Underwood, G. Wall, W. K. Wall, T. Ward, J. Ward and Wickliffe—44.

The said bill was then ordered to be engrossed and read a

third time to-morrow.

A message from the senate by mr. Lee their secretary : Mr. Speaker,

The senate have passed a bill which originated in this house entitled "an act for the benefit of Alisana Brown."

They concur in the amendments proposed by this house to

bills from that of the following titles:

An act for the relief of the administrators and heirs of John Stapp, deceased; an act allowing an additional number of justices of the peace to the counties of Bath, Whitley and Nelson; and an act for the relief of the surveyors of Jefferson and Garrard counties.

And they have passed bills of the following titles:

An act for the benefit of Catharine Amis, Agnes Snider. Rebecca Mitchell and John Hole; an act providing for the collection of part of the revenue due from Fayette county for the year 1817; an act to extend the limits of the town of Perryville; and an act to amend the several acts concerning the distribution of the laws.

In which bills they request the concurrence of this house.

And then he withdrew.

Mr. Hardin from the select committee to whom was referred a bill to amend and continue in force for a longer period the charter of the bank of Kentucky, reported the same with amendments.

Which being twice read, were concurred in.

The reading of the seventh section of said bill was called

for, and the same was read as follows, viz.

"No branch' bank shall be established without the concurrence of two thirds of the directors elected by the state, and two thirds of those elected by the stackholders." If a branch shall at any time prove unproductive (that is does not yield a fair bank profit, after paying its due proportion of expences) it shall be the duty of the directory to withdraw such branch.

It was then moved and seconded to amend said section in the first line, by inserting after the word 'No' and before the word 'branch' the word 'additional.'

And the question being taken thereon, it was decided in

the affirmative.

The yeas and navs being required thereon by messrs.

Sharp and Dallam, were as follows, to wit:

Yeas—Mr. Speaker, messrs. Allen, Baker, Barbour, Barnett, Barr, Baylor, Berry, Booker, Breathitt, Carter, Coburn, Coombs, Crittenden, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, J. Green, Hanson, Hardin, Harrison, Haynes, Howard, Hunter, Jennings, J. Johnston, Kennedy, Knight, Lee, Love, J. Logan, B. Logan, Mercer, M'Closky, M'Millan, Miller, Mullens, Noland, O'Bannon, Pope, Phelps, Prather, Ray, Rennick, Robinson, Smith, Stratton, Thomas, T. Ward, J. Ward, Wickliffe, Williams and Worthington—57.

Nays—Messrs. Barreft, W. O. Butler, Caldwell, Chew, Field, Gaither, George, Grant, L. Green, Givens, J. T. Johnson, Jones, Megowan, M'Kee, Owings, Scott, Sharp, Stockton, Z. Taylor, J. Taylor, Turner, G. Wall and W.

Wall-23.

The said section being further amended by inserting after the word 'stockholders' the words 'nor without the assent of the general assembly.'

Mr. Sharp then moved to strike out the said seventh section as amended, and insert in lieu thereof the following:

... That no branch bank shall exist or be established unless by special act of the legislature,"

A division of the question was called for, and the question put on striking out, which was decided in the negative.

The yeas and nays being required thereon by messrs.

Sharp and Turner, were as follows, viz.

Yeas—Messrs. Barrett, Chew, Field, Gaither, Grant, L. Green, Givens, J. T. Johnson, B. Johnson, Jones, Love, Megowan, M'Kee, Noland, O'Bannon, Owings, Parsons, Scott, Sharp, Stockton, Z. Taylor, J. Taylor, Turner, G.

Wall, W. Wall and Williams-26.

Nays—Mr. Speaker, messrs. Allen, Baker, Barbour, Barnett, Barr, Baylor, Beall, Berry, Booker, Breathitt, W. O. Butler. Caldwell, Carter, Coburn, Coombs, Crittenden, Dallam, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, George, J. Green, Hanson, Hardin, Harrison, Haynes, Hickman, Howard, Hunter, Jennings, J. Johnston, Kennedy, Knight, Lee, Lockett, J. Logan, B.

Logan, Mercer, M'Closky, M'Millan, Miller, Morton, Mullens, Pope, Phelps, Prather, Ray, Rennick, Robinson, Smith, Stratton, Thomas, Todd, Underwood, T. Ward, J. Ward, Wickliffe and Worthington—60.

The said bill being further amended,

The house then adjourned.

FRIDAY, JANUARY 29, 1819.

On the motion of mr. Hardin,

Ordered, That leave be given to bring in a bill to punish with death, slaves who shall wilfully and maliciously attempt to kill another person.

Whereupon with the leave of the house mr. Hardin repor-

ted a bill under the title aforesaid.

Which was received and read the first time, and ordered

to be read a second time.

And thereupon the rule of the house and second reading of the said bill being dispensed with, the same was referred to a select committee of messrs. Hardin, Williams, Kennedy, and J. Taylor.

Mr. Todd presented the memorial of messrs. Butler and Wood, tendering their services to bind the acts and journals of the present session, and suggesting the propriety of in-

creasing the price of such binding.

Which was received, read and laid on the table.

Leave was given to bring in the following bills:

On the motion of mr. M'Kee-1. A bill for the benefit of

the officers and soldiers of the revolution.

And on the motion of mr Harrison—2. A bill to repeal so much of the laws of this commonwealth as allows ten per centum damages on protested inland bills of exchange.

Messrs. M'Kee, Kennedy and M'Millan, were appointed a committee to prepare and bring in the first; and messrs. Harrison, Hardin, J. T. Johnson and Underwood, the second.

Mr. Hardin from the committee for courts of justice, to whom was referred bills from the senate of the following

titles:

An act to amend and reduce into one the several acts authorising changes of venue in civil cases; and an act concerning the duties of the register of the land office; reported each of said bills with amenments.

Which being severally twice read, were concurred in, and the said bills as amended, were ordered to be read a third time.

And thereupon the rule of the house and third readings of said bill being dispensed with:

Resolved, That said bills as amended, do pass.

Ordered, That mr. Hardin inform the senate thereof, and request their concurrence in the said amendments.

A message from the lieutenant governor by mr. Wag-

Mr. Speaker,

The lieutenant governor did on yesterday approve and sign enrolled bills which originated in this house, of the following titles:

An act for the division of Knox county; an act for the erection of a new county out of the counties of Logan, Warren and Allen; an act to extend the Madison and Clarke circuit courts, and altering the time of holding the Estill circuit and county courts; an act for the benefit of Thomas Hancock of Pulaski county; an act giving further time to settlers on the lands acquired by the treaty of Tellico to return plats and certificates of survey; an act concerning the town of Greensburg; an act to regulate certain towns in this commonwealth; an act for the benefit of Conrad Baker of Casey county; an act for the benefit of the devisees of John Curd and the heirs of Price Curd; an act to extend and alter the time of holding circuit courts; an act for the erection of the county of Hart out of the counties of Barren and Hardin; and an act imposing a tax on all banking houses not incorporated by this commonwealth.

And then he withdrew.

Ordered, That mr. Coburn inform the senate thereof.

A message from the senate by mr. Mason:

Mr. Speaker,

The senate concur in the amendments proposed by this house to the bill from that entitled "an act to erect an election precinct in Estill county, with an amendment.

In which they request the concurrence of this house.

And then he withdrew.

Mr. Todd from the select committee appointed for that purpose, reported a bill to amend the act entitled "an act to appoint a sergeant for the court of appeals.

Which was read the first time and ordered to be read a

second time.

Mr. Harrison from the select committee appointed for that purpose, reported a bill to repeal all acts or parts of acts allowing ten per centum damages on protested bills of exchange.

Which was read the first time and ordered to be read a se-

cond time.

And thereupon the rule of the house being dispensed with, the said bill was read a second time as follows, to wit:

BE it enacted by the general assembly of the commonwealth of Kentucky, That if any person or persons shall hereafter draw or endorse any bill of exchange payable at any place out of this state, but within any other of the United States of North America or any of its territories, and the same being returned back unpaid, with a legal protest, the drawer thereof and all others concerned, shall pay the contents of the said bill with legal interest from the time the said bill was protested, the charges of protest, and —— per cent. advance for the damage thereof, and so proportionable for greater or lesser sums. Any law coming within the purview of this act shall be, and the same is hereby repealed.

It was then moved and seconded to lay the said bill on

the table until the first day of March next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereou by messrs.

Barrett and Harrison, were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Barbour, Barnett, Barr, Barrett, Berry, Booker, Breathitt, Carter, Chinn, Crittenden, Davis, Dolferhide, Duncan (of Lincoln) Forrest, L. Green, J. Green, Givens, Hanson, Haynes, Hickman, Hunter, Jennings, Jones, Lee, Megowan, M'Millan, Morton, Noland, O'Bannon, Pope, Prather, Sharp, Z. Taylor, J. Taylor, Todd, Turner, J. Ward and Worthington—40.

Nays—Messrs. Baker, Baylor, Beall, W. O. Butler, Caldwell, Chew, Coburn, Coombs, Cunningham, Dallam, Duncan (of Daviess) Field, Gaither, George, Grant, Hardin, Harrison, Howard, J. Johnston, J. T. Johnson, B. Johnson, Kennedy, Knight, Lockett, Love, J. Logan, M'-Kee, M'Closky, Miller, Mullens, Parsons, Phelps, Ray, Rennick, Robinson, Scott, Smith, Stratton, Underwood, G. Wall, W. Wall and Wickliffe—42.

It was then moved and seconded to fill the blank in said

bill with "fifteen."

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by messrs. Dallam and Harrison, were as follows viz.

Yeas-Messrs. Allen, Barr, Barrett, Booker, Breathitt,

Carter, Crittenden, J. Green and J. Taylor-9.

Nays—Mr. Speaker, messrs. Baker, Barbour, Barnett, Baylor, Beall, Berry, W. O. Butler, Caldwell, Chew. Chinn, Coburn, Coombs, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Duncan, (of Lincoln) Field, Forrest, Gaither, George, Grant, L. Green, Givens, Hanson, Hardin, Harrison, Haynes, Hickman, Howard, Hunter, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Jones, Keunedy, Knight, Lee, Lockett, Love, J. Logan, Megowan, Mercer, M'Kee, M'Closky, M'Millan, Miller, Morton, Mulléns, Noland, O'Bannon, Owings, Parsons, Pope, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Stratton, Z. Taylor, Todd, Turner, Underwood, W. Wall, T. Ward, J. Ward Wickliffe and Worthington—75.

It was then moved and seconded to fill the said blank

with the word " ten."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by messrs.

Barr and Sharp, were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Barbour, Barr, Barrett, Booker, Breathitt, W. O. Butler, Carter, Crittenden, Davis, Dollerhide, J. Green, Hanson, Haynes, Jennings, Morton, Pope, Sharp, J. Taylor, Todd, Turner, J. Ward

and Worthington-25.

Nays—Messrs. Baker, Barnett, Baylor, Beall, Berry, Caldwell, Chew, Chinn, Coburn, Coombs, Cunningham, Dallam, Duncan (of Daviess) Duncan (of Lincoln) Field, Forrest, Gaither, George, Grant, L. Green, Givens, Hardin, Harrison, Hickman, Howard, J. Johnston, J. T. Johnson, B. Johnson, Jones, Kennedy, Knight, Lackey, Lee, Lockett, Love J. Logan, Mercer, M'Kee, M'Closky, M'Millan, Miller, Mullens, Noland, O'Bannon, Owings, Parsons, Phelps, Prather, Ray, Rennick, Robinson, Scott, Smith, Stratton, Z. Taylor, Underwood G. Wall, W. Wall, T. Ward and Wickliffe—60.

Motions to fill said blank with the words "nine, eight, six, five, four and three," having been successively negatived, it was then moved and seconded to fill the said blank

with the word " two."

And the question being taken thereon, it was decided in the affirmative.

The year and nays being required thereon by messrs.

Booker and J. Taylor, were as follows, to wit:

Yeas—Messrs. Allen, Baker, Barnett, Beall, Berry, W. O. Butler, Caldwell, Chew, Goburn, Coombs, Cunningham, Dallam, Duncan (of Daviess) Forrest, Gaither, George, Givens, Harrison, Haynes, Hunter, J. Johnson, J. T. Johnson, B. Johnson, Jones, Kennedy, Knight, Lackey, Lockett, Love, J. Logan, Megowan, Mercer, M'Closky, Miller, Morton, Mullens, Noland, O'Bannon, Owings, Parsons, Phelps, Ray, Rennick, Robinson, Scott, Stratton, Todd, Underwood, G. Wall, W. Wall, T. Ward and Wickliffe—52.

Nays—Mr. Speaker, messrs. Barbour, Barr, Barrett, Baylor, Booker, Breathitt, Carter, Crittenden, Davis, Dollerhide, Duncan (of Lincoln) Field, Grant, L. Green, J. Green, Hanson, Hardin, Howard, Jennings, Lee, M'Kee, M'Millan, Pope, Prather, Sharp, Smith, Z. Taylor, J. Tay-

lor, Turner, J. Ward and Worthington-32.

The question was then taken on engrossing said bill and reading it a third time; and it passed in the affirmative.

The year and nays being required thereon by messrs.

J. Taylor and Harrison, were as follows, viz.

Yeas—Messrs. Baker, Barnett, Baylor, Beall, Berry, Caldwell, Chew. Coburn, Coombs, Cunniugham, Dallam, Duncan (of Daviess) Forrest, Gaither, George, Grant, Givens, Harrison, J. Johnston, J. T. Johnson, B. Johnson, Jones, Kennedy, Knight, Lackey, Lee. Lockett, Love, J. Logan, Megowan, Mercer, M'Kee, M'Closky, Miller, Mullens, Owings, Parsons, Phelps, Rennick, Scott, Stratton, Underwood, G. Wall, W. Wall, T. Ward and Wickliffe —46.

Nays—Mr. Speaker, messrs. Allen, Barbour, Barr, Barrett, Booker, Carter, Crittenden, Dollerhide, Duncan (of Lincoln) Field, L. Green, J. Green, Hanson, Hardin, Haynes, Howard, Hunter, Jennings, M'Millan, Morton, Noland, O'Bannon, Pope, Prather, Sharp, Smith, Z. Taylor, J. Taylor, Todd, Turner, J. Ward, and Worthington—SS.

Mr. Hardin from the select committee to whom was referred a bill to punish with death, slaves who shall wilfally and maliciously attempt to kill another person, reported the same with amendments.

Which being twice read, were concurred in.

Ordered, That the said bill as amended, be engressed and read a third time to morrow.

Ordered, That the first and second reading of a bill from the senate, entitled "an act for the benefit of Eliza G. Ball, be dispensed with, and that the same be referred to the committee of religion.

Mr. J. T. Johnson read and laid on the table the follow-

ing resolution, viz.

Resolved by the general assembly of the commonwealth of Kentucky, That the secretary of state be directed to purchase a sufficient number of copies of Munsell's map of Kentucky, to be appropriated in the following manner: Two for the representative chamber; two for the senate; one to each of the public officers in Frankfort; and one to each county court to be kept in the clerk's office of the county. And that the amount of said purchase be deducted by the auditor of public accounts from the debt due by said Munsell to the state.

A message from the senate by mr. Crutcher:

Mr. Speaker,

The senate have passed a bill which originated in this house entitled "an act to alter the mode of taking in lists of taxable property," with amendments.

In which they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Johnson:

Mr. Speaker,

The senate have passed a bill entitled "an act to incorporate the broadway bridge company."

In which they request the concurrence of this house.

And then he withdrew.

Mr. Hardin from the select committee to whom was referred a bill to create a literary fund, reported the same with amendments.

Mr. Harrison from the select committee to whom was referred a bill appropriating the bonus of the farmers' and mechanics' bank of Lexington to the Transylvania University, reported the following amendment in lieu of the original bill, to wit:

§ 1. Be it enacted by the general assembly of the commonwealth, of Kentucky, That the bonus or tax imposed by law on each independent bank within this commonwealth, or which may hereafter be imposed by law on said banks, shall be, and the same is hereby appropriated severally to the use and benefit of the academy now established by law in the county where such bank is located: Provided, that the bonus or tax of the farmers and mechanics' bank at Lexington, be,

and the same is appropriated to the use and for the benefit of

the Transylvania University.

§ 2. Be it further enacted, That at such time or times as by the laws of this commonwealth such bonus or tax may become due, it shall and may be lawful for the president of the board of trustees of said university and the trustees of said academies for the time being, to demand of the cashier of each bank respectively, according to the provisions of the first section of this act, the said bonus or tax so due, whose

duty it shall be to pay the same.

§ 3. Be it further enacted, That if at any time any cashier shall fail or refuse to pay the tax or bonus so due, when demanded, it shall be the duty of the auditor of public accounts upon notice of such failure, to proceed immediately to recover the same with all costs, damages and interest now imposed by law; and as soon as the same may be recovered and paid into the treasury, to grant to said president of the board of trutees for the Transylvania University, or to any board of trustees for any of the academies aforesaid, entitled to receive the same, a warrant on the treasury of this commonwealth for the amount of the bonus or tax, together with the interest, so recovered and paid into the treasury.

The said amendment was then amended by adding thereto

the following additional sections, to wit:

Provided, That any number of poor boys not exceeding twelve shall be constantly educated gratis, at each of said academies, for the term of two years each; and the trustees may exercise their discretion in the choice of such boys from among the number of those who may be offered.

Be it further enacted, That so much of the bonus or tax as shall be paid by the independent bank in Lebanon, called the bank of Washington, shall be applied to a public school at Lebanon, and be paid to the trustees of said school as is provided by this act to the academies herein mentioned.

And be it further enacted, That so much of the bonus as is directed by law to be paid by the bank at Millersburg, denominated the Hingston Exporting Company, shall be appropriated to the public school at Millersburg, to be paid to the trustees of said school in such manner as is directed to be done by this act to the several accademics herein mentioned.

The question was then put on concurring in said amendment as amended, which was decided in the affirmative.

The year and nays being required thereon by messrs. J. Johnston and Harrison, were as follows, viz.

Yeas—mr. Speaker, messrs. Baker, Barr, Beall. Booker, Breathitt, Coburn, Crittenden, Dallam, Davis, Dollerlide, Field, Gaither, George, Grant, L. Green, Harrison, Hunter, Jennings, J. T. Johnson, B. Johnson, Kennedy, Lackey, Lee, Lockett, J. Logan, B. Logan, Megowan, M'Closky, O'Bannon, Parsons, Pope, Prather, Scott, Sharp, Z. Taylor, Turner, G. Wall, W. Wall and Worthington—40.

Nays—messrs. Allen, Barnett, Berry, W. O. Butlen, Caldwell, Carter, Chinn, Duncan (of Daviess) Duncan (of Lincoln) Forrest, J. Green, Givens, Hanson, Hardin, Haynes, Hickman, Howard, J. Johnston, Jones, Knight, Love, M'Millan, Miller, Mullens, Noland, Owings, Phelps, Ray, Rennick, Robinson, Smith, J. Taylor, Todd, Under-

wood, T. Ward and Wickliffe-36.

Mr. Love then moved to attach to said bill the following

as an additional section, viz.

And be it further enacted, That the trustees of the several academies and seminaries in the counties which shall not have a bank in such county, shall each be allowed to draw from the public treasury the sum of —— hundred dollars annually, for the support of such academies and seminaries.

And the question being taken on agreeing thereto, it was

decided in the affirmative.

The yeas and mays being required thereon by messrs.

Rennick and Love, were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Baker, Barbour, Barnett, Baylor, Beall, Berry, W. O. Butler, Caldwell, Carter, Chew, Crittenden, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Field, Forrest, George, Grant, L. Green, J. Green, Givens, Hardin, Haynes, Frickman, Howard, J. Johnston, J. T. Johnson, Jones, Kennedy, Lackey, Lee, Lockett, Love, J. Logan, B. Logan, Megowan, M'Millan, Miller, Mullens, Noland, O'Bannon, Owings, Parsons, Phelps, Rennick, Smith, Stratton, J. Taylor, Todd, Underwood, G. Wall, T. Ward, J. Ward and Worthington—59.

Nays—Messrs. Barr, Booker, Breathitt, Chinn, Coburn, Gaither, Hanson, Harrison, Hunter, B. Johnson, M'Closky, Morton, Prather, Ray, Robinson, Scatt, Sharp, Z. Tay-

lor. Turner. W. Wall and Wickliffe-21.

Ordered, That the original bill and amendments be recommitted to a select committee of messrs. J. Logan, Hardin & Barrison, with instructions to report the original bill without the amendments, and limiting the continuance of the act to three years.

And then the house adjourned.

SATURDAY, JANUARY 30, 1819.

Mr. Beall from the joint committee appointed to examine the accounts of the commissioners appointed under the act for the improvement of internal navigation, made the following re-

A statement of monies received and paid by the commissioners appointed by virtue of an act of December session,

1817, for the improvement of internal navigation.

Worthington, Donan and Merrill, Commissioners of Green River.

Rec'd. warrants on the treasurer to the amount of \$10,000 00 They have expended as per accounts filed with the

auditor, viz.

By David C. Donan, 2,215 01 Do. 371 82 Samuel Merrill, 1,034 08 Samuel Worthington, 3,561 25-\$7,182 16

Unexpended and in the hands of the above com'rs. \$2,817 84 Garrard, Yantis and Taylor, commissioners of the Kentucky River.

Rec'd. warrants on the treasurer to the amount of \$ 8,133 00 They have expended.

By John Yantis, 2,765 23

Daniel Garrard, 2,242 81-\$5,008 04

They have paid into the treasury,
By John Yantis, 534, 77

Daniel Garrard, 257 19—\$ 791 96 Table Sand Committee Co.

Not accounted for by the commissioners, \$ 2,333 00 Churchill, Waters and M'Lean, Commissioners of Salt River. Rec'd, warrants on the treasurer to the amout of \$8,000 00 They have expended,

By John Churchill, 1,474 03 Philemon Waters, 1,587 20

Samuel M'Lean, 2,178 97-\$ 5,240 20

Paid the treasurer.

By Samuel M'Lean,

501 03

In the hands of the commissioners, \$2,258 77

Stockton, Garrard and House, Commissioners of Licking River.
Rec'd. warrants on the treasury for \$8,000 00. They have expended, viz.
By William House, 658 83
James Garrard, jun. 1,750 83-\$2,427 16
Paid the treasurer, By James Garrard, 4,584 50 ————————————————————————————————————
THE RESERVE OF THE PROPERTY OF THE PARTY OF
Not accounted for, Givens, Newell and Paul, Commissioners of Cumberland
River. \$4,000 00
They have expended, viz.
By John Paul, 1,321 57
John R. Givens 67 50—\$1,389 07
Paid the treasurer, By John Paul, 11 76
\$1,400 83
G0 700 1F
Not accounted for, \$2,599 17 The amount received of the treasurer by all the
commissioners is \$ 38,183 00
The amount which they have expended so far as their accounts have
been rendered, amounts to, 21,503 82
The amount which they have paid
to the treasurer is 5,632 06
<u>—</u> \$ 27,135 88
Amount not accounted for, \$ 10,997 12
From the Senate,
MARTIN H. WICKLIFF, WILLIAM OWENS.
From the House of Representatives,
SAMUEL T. BEALL, MOSES WICKLIFFE,
EDWARD WORTHINGTON,
JOHN L. HICKMAN, THOMPSON WARD,
JOHN BAKER,
THOMAS C. HOWARD, GEORGE BERRY,
N. S. DALLAM

A message from the senate by mr. Owens:

Mr. Speaker,

The senate disagree to the amendment proposed by this house to the bill from the senate entitled "an act to amend and reduce into one the several acts authorising changes of venue in civil cases."

And then he withdrew.

Mr. J. Logan from the select committee to whom was referred a bill appropriating the bonus of the farmers and mechanics' bank of Lexington to the Transylvania University, reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill as amended, be engrossed and

read a third time on Monday next.

The house took up the amendment proposed by the senate upon concurring in that proposed by this house to the bill from the senate, entitled "an act to establish an election precinct in Estill county."

Which being twice read, was disagreed to.

Ordered, That mr. Barbour inform the senate thereof.

The house took up the resolution laid on the table on yesterday, relative to the purchase of a certain number of copies of Munsell's map of Kentucky.

Which being twice read, was amended to read as follows,

viz.

Resolved by the general assembly of the commonwealth of Kentucky, That the secretary of state be directed to purchase a sufficient number of copies of Munsell's map of Kentucky, to be appropriated in the following manner: One for the government house; two for the representative chamber; two for the senate; one to each of the public offices in Frankfort; and one to each county court to be kept in the clerk's office of the county. And that the amount of said purchase be deducted by the auditor of public accounts from the debt due by said Munsell to the state, at the subscription price thereof.

The question was then taken on adopting the said resolu-

tion as amended, which was decided in the affirmative.

The year and mays being required thereon by messrs,

Dollerhide and T. Ward, were as follows, viz.

Yeas—Mr. Speaker, messrs. Baker, Barbour, Barnett, Baylor, Booker, Breathitt, W. O. Butler, Caldwell, Carter, Chew, Chinn, Coburn, Cunningham, Duncan (of Daviess) Field, Grant, J. Green, Hardin, Harrison, Haynes, Hickman, Howard, Hunter, J. Johnston, J. T. Johnson, B.

Johnson, Kennedy, Lackey, Lockett, Love, Megowan, Mercer, M'Closky, M'Millan, Miller, Parsons, Ray, Rennick, Robinson, Sharp, Smith, Stratton, J. Taylor, Todd, Turner, Underwood, G. Wall, W. Wall T. Ward, J. Ward, Wickliffe and Worthington—53.

Nays—Messrs. Allen, Berry, Dallam, Davis, Dollerhide, Duncan (of Lincoln) Forrest, L. Green, Hanson, Jennings, Jones, Lee, J. Logan, Mullens, Noland, O'Bannon, Pope, Phelps, Prather, Scott and Z. Taylor—21.

A message from the senate by mr. Mason:

Mr. Speaker,

The senate adhere to their amendment proposed upon concurring in that proposed by this house to the bill from that entitled "an act to establish an election precinct in Estill county."

And then he withdrew.

The house resumed the consideration of a bill to continue in force for a longer period the charter of the bank of Kentucky.

Mr. M'Kee then moved to attach to said bill the following

sections, viz.

And be it further enacted, That the bank of Kentucky shall accept any independent bank as a branch of the bank of Kentucky, that shall by a resolution of the board of directors of such independent bank (two thirds of the directors concurring therein) desire to become a branch of the bank of Kentucky; and it shall be the duty of any independent bank expressing its desire to become a branch, to subscribe the capital stock thereof to the bank of Kentucky; and it shall be the duty of such independent bank to pay to the bank of Kentucky two fifths of the capital so subscribed within sixty days from the time of subscribing in gold or silver, or in notes of the bank of Kentucky; and they shall in like manner pay to the bank of Kentucky one fifth part of the capital stock of the said bank within 150 days from the day of subscribing in money as aforesaid; one fifth within 240 days from the time of subscribing; and the residue within one year from the time of subscribing.

And be it further enacted, That whenever any independent bank shall subscribe the capital stock thereof in manner aforesaid, and shall pay to the bank of Kentucky two fifths of the capital stock so subscribed as aforesaid, such independentbank shall cease to hold and enjoy the corporate powers vested in them by law, except so far only as may be necessary to collect their debts and close their accounts: And it shall

be the daty of the bank of Kentucky, forthwith to establish a branch bank at such place, which shall commence its operations when the said first payment is made: Provided, however, that no independent bank shall be entitled to the benefit of the provisions of this act that may fail or refuse to become a branch on or before the first day of January, 1821.

And the question being taken on agreeing thereto, it was

decided in the negative.

The yeas and nays being required thereon by messrs.

Sharp and Underwood, were as follows, viz.

Yeas—Messrs. Baylor, Caldwell, Dallam, Davis, Field, Gaither, Grant, L. Green, J. T. Johnson, Lockett, Megowan, M'Kee, O'Bannon, Owings, Parsons, Scott, Sharp, Z. Taylor, J. Taylor, Turner, Underwood, G. Wall and W. Wall—23.

Nays—Mr. Speaker, messrs. Allen, Baker, Barbour, Barnett, Barr, Barrett. Berry, Booker, Breathitt, A. Butler, Carter, Chew, Chinn, Coburn, Crittenden, Cunningham, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, J. Green, Hanson, Hardin, Harrison, Haynes, Hickman, Howard, Hunter, Jennings, J. Johnston, B. Johnson, Jones, Kennedy, Knight, Lee, Love, J. Logan, B. Logan, M'Closky, M'Millan, Miller, Morton, Mullens, Noland, Pope, Prather, Ray, Rennick, Robigson, Smith, Stratton, Todd, T. Ward, J. Ward Wickliffe, Williams and Worthington—58.

The ninth section of said bill was then amended to read as

follows, to wit:

If the bank of Kentucky or any of its branches shall at any time suspend specie payments, it shall be a forfeiture of their charter of incorporation, unless such suspension shall be approved by the general assembly at their next session.

It was then moved and seconded to expunge from the said

ninth section the words printed in italics.

And the question being taken thereon it was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Barr and Underwood, were as follows, viz.

Yeas—mr. Speaker, messrs. Allen, Barr, Booker, Breathitt, Caldwell, Chew, Crittenden, Cunningham, Duncan (of Lincoln) Field, Forrest, Gaither, Grant, L. Green, Hanson, Haynes, J. Johnston, Jones, Lee, Lockett, Love, Megowan, M'Kee, M'Millan, Miller, Noland, O'Bannon, Owings, Parsons, Pope, Robinson, Scott, Sharp, Z. Taylor, J. Taylor, Turner, Underwood, G. Wall, W. Wall and Wickliffe—41.

Nays—messrs. Baker, Barbour, Barnett, Baylor, W. O. Butler, Carter, Chinn, Coburn, Coombs, Dallam, Davis, Dollerhide, Duncan (of Daviess) J. Green, Hardin, Harrison, Hickman, Howard, Hunter, Jennings, J. T. Johnson, B. Johnson, Kennedy, Knight, J. Logan, B. Logan, M'Closky, Morton, Mullens, Phelps, Prather, Ray, Rennick, Smith, Stratton, Todd, T. Ward J. Ward, Williams and Worthington—40.

The twelfth section of the bill was then read as follows,

to wit :

If any stockholder shall be desirous of withdrawing his stock from the institution at the expiration of the term for which the bank was first incorporated, it shall be his duty to give notice of such intention, in the month of January in the year 1821, and cause the same to be entered in a book to be provided for that purpose. On such notice the president and directors shall take such measures as may be most expedient for paying such stock in the course of that year, in such mode as may be mutually agreed on, or for paying off such stock with its due proportion of dividends at the end of the year.

It was then moved and seconded to attach to said bill the

following proviso.

Provided, That no stockholder shall receive the amount of his stock or any part thereof, unless all the notes and bills which have been or may be issued, and the debts contracted by said bank previous to the day afor said, shall have been paid, or unless the said president and directors shall retain under their control the amount of their outstanding notes, bills and debts, either in money or good substantial paper:

And provided, that if such president and directors shall pay any stock as aforesaid, without retaining a sum in money or good substantial paper to meet their outstanding notes, bills and debts as aforesaid; he and they shall be answerable for the amount of the same out of their respective estates, and may be sued jointly or separately for the same.

And the question being taken thereon, it was decided in

the negative.

The yeas and mays being required thereon by messrs.

Caldwell and Barr, were as follows, to wit:

Yeas—Messrs. Barr, Caldwell, Chew, Crittenden, Grant, L. Green, B. Jolinson, Lockett, Megowan, Noland, O'-Bannon, Owings, Parsons, J. Taylor and Underwood—15. Nays—Mr. Speaker, messrs. Allen, Barbour, Barnett, Baylor, Berry, Booker, Breathitt, A. Butier, Carter, Chinn, Coburn, Coombs, Cunningham, Dallam, Dollerhide, Dunean (of Daviess) Duncan (of Lincoln) Field, Forrest, Gaither, J. Green, Hanson, Hardin, Harrison, Haynes, Hickman, Howard, Hunter, Jennings, J. Johnston, J. T. Johnson, Jones, Kennedy, Knight, Lee, Love, J. Logan, B. Logan, Mercer, M'Kee, M'Closky, M'Millan, Miller, Morton, Mullens, Pope, Phélps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Stratton, Z. Taylor, Todd, Turner, G. Wall, W. Wall, T. Ward, J. Ward, Wickliffe, Williams, and Worthington—66.

Mr. Sharp then moved to attach to said bill the following

additional section:

And the question being taken on agreeing thereto, it was

decided in the negative.

The yeas and nays being required thereon by messrs.

Sharp and Turner, were as follows, viz.

Yeas—Messrs. Caldwell, Chew, Field, Gaither, Grant, L. Green, B. Johnson, Jones, Megowan, M'Kee, Miller, Owings, Parsons, Sharp, J. Taylor, Turner and W. Wall—17.

Nays—Mr. Speaker, messrs. Allen, Barbour, Barnett, Barr, Baylor, Berry, Booker, Breathitt, A. Butler, Carter, Chinn, Coburn, Coombs, Crittenden, Cunningham, Dallam, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, J. Green, Hanson, Hardin, Harrison, Haynes, Rickman, Howard, Hunter, Jennings, J. Johnston, J. T. Johnson, Kennedy, Knight, Lackey, Lee, Lockett, Love, J. Logan, B. Logan, Mercer, M'Closky, M'Millan, Morton, Mullens, Noland, O'Bannon, Pope, Phelps, Prather, Ray, Rennick, Robinson, Smith, Stratton, Z. Taylor, Todd, Underwood, G. Wall, T. Ward, J. Ward, Wickliffe, Williams and Worthington—64.

The said bill being further amended,

Mr. Duncan (of Lincoln) then moved for a re-consideration of the vote amending the ninth section of said bill, by expunging a part thereof (he having voted in the adoption thereof in the majority,) and the question being taken on granting such re-consideration, it was decided in the affirmative.

And then the house adjourned.

MONDAY, FEBRUARY, 1, 1819.

Mr. Ray from the committee of religion to whom was referred a bill from the senate entitled "an act for the benefit of Eliza G. Ball," reported the same without amendment; and the said bill was then ordered to be read a third time.

And thereupon the rule of the house and third reading of

said bill being dispensed with:

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That mr. Worthington inform the senate there-of.

A bill for the benefit of Joseph C. Belt, was read a second time and ordered to be engrossed and read a third time.

And thereupon the rule of the house and third reading of said bill being dispensed with, and the same being engrossed:

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered. That mr. O'Bannon carry the said bill to the senate, and request their concurrence.

A message from the senate by mr. Fleming:

Mr. Speaker,

I am directed to inform this house that the senate in consequence of the absence of William B. Blackburn, their speaker, have elected Henry Davidge, Esq. their speaker protempore.

And then he withdrew.

A message from the senate by mr. Owens:

The senate have passed a bill entitled "an act for the benefit of Elizabeth Armstrong."

In which bill they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Lee their secretary:

A message from the senate by mr. Lee their secretary: Mr. Speaker,

The senate have received official information that the lieutenant governor did on the 28th ultimo, approve and sign an enrolled bill entitled "an act to amend the acts regulating the towns of Millersburg, Paris, Bairdstown, and for

other purposes," approved February 4th, 1817. They concur in the amendments proposed by this house to a bill from the senate entitled " an act concerning the duties of the register of the land office. They have passed a bill from this house entitled "an act for the benefit of Frances Lewis."

And they have passed bills of the following titles:

An act authorising certain lotteries; and an act for the benefit of Lawrence Flournoy.

In which bills they request the concurrence of this house.

And then he withdrew.

The house resumed the consideration of a bill to continue in force for a longer period the charter of the bank of

Kentucky.

The motion (produced by re-consideration on Saturday last) recurred upon expunging from the ninth section of the bill the words printed in italics and spread upon the journal of that date.

The question was then put on agreeing to the said proposition, which was decided in the negative.

The year and navs being required thereon by messrs.

J. Taylor and Sharp, were as follows viz.

Yeas-Messrs. Allen, Berry, Booker, Breathitt, W. O. Butler, Caldwell, Chew. Chinn, Cunningham, Forrest, Gaither, Grant, L. Green, Haynes, J. Johnston, Jones, Lee, Lockett, Love, Megowan, M'Kee, Noland, Parsons, Pope, Robinson, Scott, Sharp, Z. Taylor, J. Taylor, Turner,

Underwood, W. Wall and Williams-33.

Navs-Mr. Speaker, messrs. Baker, Barbour, Barnett. Barrett, A. Butler, Carter, Coburn, Crittenden, Dallam, Dollerhide, Duncan (of Daviess) Duncan, (of Lincoln) George, J. Green Hardin, Harrison, Hickman, Howard. Hunter, Jennings, B. Johnson, Kennedy, Knight, J. Logan, B. Logan, Mercer, M'Closky, M'Millan, Miller. Morton, Mullens, Phelps, Prather, Ray, Rennick, Smith. Stratton, Todd, G. Wall, J. Ward Wickliffe and Worthing-

The ninth section was then expunged from the bill. Mr. Underwood then moved to attach to said bill the fol-

lowing additional section, viz.

§ 16. And be it further enacted, That it shall be lawful for the attorney general to sue out a scire facias against the bank of Kentucky in the general court, summoning the president as the representative of the said bank to shew cause why the charter of said bank shall not be declared forfeited. And the attorney general shall file a statement of those facts by which

the said bank may have forfeited its charter, upon which an issue shall be made up and a trial had; and if the issue is found against the bank, the court shall declare the charter forfeited; after which the said bank may sue and be sued in its corporate name for two years, for the purpose of winding up its affairs, and not longer.

And the question being taken on agreeing thereto, it was

decided in the affirmative.

The yeas and nays being required thereon by messrs.

Underwood and J. Taylor, were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Barrett, Berry, Breathitt, W. O. Butler, Caldwell, Chew, Chinn, Crittenden, Cunningham, Davis, Dollerhide, Forrest, Gaither, Grant, L. Green, Harrison, Haynes, Hickman, Hunter, J. Johnston, B. Johnson, Jones, Lee, Lockett, Love J. Logan, Megowan, M'Kee, M'Closky, M'Millan, Miller, O'Bannon, Pope, Phelps, Robinson, Scott, Z. Taylor, J. Taylor, Todd, Turner, Underwood G. Wall, W. Wall, Wickliffe, Williams and Worthington—48.

Nays—Messrs. Barnett, Booker, A. Butler, Carter, Coburn, Dallam, Duncan (of Daviess) Duncan (of Lincoln) George, J. Green, Hardin, Howard, Jennings, Kennedy, Knight, Lackey, B. Logan, Mercer, Morton, Noland, Parsons, Prather, Ray, Rennick, Smith, Stratton and J. Ward

_27.

Mr. M'Millan then moved to attach to said bill the fol-

lowing section, viz.

And the question being taken on agreeing thereto, it was

decided in the negative.

The yeas and nays being required thereon by messrs.

O'Bannon and M'Millan, were as follows, viz.

Yeas—Messrs. Allen, Baker, Barrett, Berry, Breathitt, Caldwell, Chew. Chinn, Cunningham, Dollerhide, Forrest, Gaither, Grant, L. Green, Haynes, J. Johnston, Jones, Lee, Lockett, Love, Megowan, M'Millan, Miller, Noland, O'Bannon, Owings, Parsons, Phelps, Prather, Robinson, Scott Sharp, Z. Taylor, Turner, Underwood, G. Wall, W. Wall and Williams—38.

Nays—Mr. Speaker, messrs. Barbour, Barnett, Booker, A. Butler, Carter, Coburn, Coombs, Crittenden. Dallam, Davis, Duncan (of Daviess) Duncan (of Lincoln) George, J. Green, Hardin, Harrison, Hickman, Howard, Hunter, Jennings, B. Johnson, Kennedy, Knight, J. Logan, B. Logan, Mercer, M'Kee, M'Closky, Morton, Mullens, Pope, Ray, Rennick, Smith, Stratton, J. Taylor, Todd, J. Ward, Wickliffe and Worthington—41.

Mr. M'Millan then moved to attach to said bill the follow-

ing as an additional section, viz.

Nothing in this act shall be construed to prevent future legislatures from altering or amending the charter of the bank of Kentucky in such manner as they may deem right.

And the question being taken on agreeing thereto, it was

decided in the negative.

The yeas and mays being required thereon by messrs.

M'Millan and J. Taylor, were as follows, viz.

Yeas—messrs. Allen, Barrett, W. O. Butler, Caldwell, Chew, Cunningham, Davis, Dollerhide, Forrest, Gaither, Grant, L. Green, Haynes, J. Johnston, B. Johnson, Jones, Lackey, Lee, Lockett, Love, Megowan, M'Kee, M'Millan, Miller, Noland, O'Bannon, Owings, Parsons, Prather, Scott, Sharp, Z. Taylor, J. Taylor, Turner, Underwood, G. Wall, W. Wall and Williams—33.

Nays—mr. Speaker, messrs. Baker, Barbour, Barnett, Barr, Baylor, Booker, Breathitt, Carter, Coburn, Coombs, Crittenden, Dallam, Duncan (of Daviess) Duncan (of Lincoln) George, J. Green, Hardin, Harrison, Hickman, Howard, Hunter, Jennings, Kennedy, Knight, J. Logan, B. Logan, Mercer, M'Closky, Morton, Mullens, Pope, Phelps, Ray, Rennick, Robinson, Smith, Stratton, Todd, T. Ward, J. Ward, Wickliffe and Worthington—43.

Mr. J. Green then moved to attach to said bill the follow-

ing clause, viz.

Nothing in this act shall be so construed as to take from future legislatures the right to repeal this act of incorporation.

And the question being taken on agreeing thereto, it was

decided in the affirmative.

The yeas and nays being required thereon by messrs.

M'Millan and J. Green, were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Baker, Barnett, Barrett, Berry, Booker, Breathitt, W. O. Butler, Caldwell, Coburn, Coombs, Crittenden, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Lincoln) Forrest, Gaither, George,

Grant, L. Green, J. Green, Hardin, Haynes, Hickman, Howard, Hunter, J. Johnston, B. Johnson, Kennedy, Knight, Lee, Lockett, Love, B. Logan, Megowan, M'Kee, M'Closky, M'Millan, Miller, Mullens, Noland, O'Bannon, Owings, Pope, Phelps, Prather, Ray, Robinson, Scott, Sharp, Smith, Stratton, Z. Taylor, J. Taylor, Todd, Turner, Underwood, G. Wall W. Wall, T. Ward, Wickliffe, Williams and Worthington—66.

Nays -messrs. Barr, Baylor, Duncan (of Daviess) Harrison, Jennings, Jones, Lackey, J. Logan, Mercer, Morton,

Remick and J. Ward-12.

The question was then taken on engrossing the said bill as amended, and reading it a third time, which was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Howard and L. Green, were as follows, to wit:

Yeas—mr. Speaker, messrs. Allen, Barbour, Barnett, Barrett, Baylor, Berry, Booker, Breathitt, A. Butler, Caldwell, Chinn, Coburn, Coombs, Crittenden, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) George, Grant, J. Green, Hardin, Harrison, Haynes, Hickman, Howard, Hunter, Jennings, B. Johnson, Jones, Kennedy, Knight, Lackey, Lee, Love, J. Logan, B. Logan, Mercer, M'Kee, M'Closky, M'Millan, Miller, Morton, Noland, Owings, Parsons, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Stratton, Todd, Turner, Underwood, G. Wall, W. Wall, T. Ward, J. Ward, Wickliffe, Williams and Worthington—66.

Nays—messrs. W. O. Butler, Chew, Forrest, Gaither, L. Green, J. Johnston, Lockett, O'Bannon, Pope, Z. Taylor

and J. Taylor-11.

The house took up the resolution from the senate for a final adjournment of the legislature; which was twice read and concurred in as follows, viz.

IN SENATE, January 27th, 1819.

Resolved by the general assembly of the commonwealth of Kentucky, That when they adjourn on Saturday the 6th day of February, they will adjourn sine die.

Att. WILLIS A. LEE, C. S. The yeas and nays being required on concurring in the said resolution by messrs. Berry and Gaither, were as follows, viz.

Yeas—messrs. Allen, Barbour, Barrett, Berry, W. O. Butler, A. Butler, Caldwell, Chew, Chinn, Coburn, Coombs, Crittenden, Cunningham, Dallam, Duncan (of Daviess)

Duncan (of Lincoln) Forrest, Gaither, Grant, L. Green, J. Green, Haynes, Hunter, Jennings, B. Johnson, Jones, Kennedy, Lackey, Lee, Lockett, J. Logan, Mercer, M'Kee, Miller, Morton, Mullens, Noland, O'Bannon, Owings, Pope, Prather, Robinson, Scott, Sharp, Smith, Z. Taylor, J. Taylor, Turner, Underwood, Wickliffe, Williams and Worthington—52.

Nays—mr. Speaker, messrs. Barnett, Baylor, Booker, Breathitt, Carter, George, Hardin, Harrison, Hickman, Howard, J. Johnston, Knight, Love, M'Closky, M'Millan, Parsons, Phelps, Ray, Rennick, Stratton, Todd, G. Wall,

W. Wall, T. Ward and J. Ward-26.

Ordered, That mr. Sharp inform the senate thereof.

On motion,

Ordered, That mr. Beall have leave of absence from the service of this house for the remainder of the present session.

The house took up the amendments proposed by the senate to a bill from this house entitled "an act to alter the mode of taking in lists of taxable property."

Which being twice read, were concurred in.

Ordered, That mr. Pope inform the senate thereof.

On the motion of mr. Barbour,

Ordered, That a message be sent to the senate, requesting the appointment of a committee of conference on the part of the senate to meet a committee to be appointed on the part of this house, on the subject of the disagreement of the houses on the amendment proposed by the senate upon concurring in that proposed by this house to the bill from the senate entitled "an act to establish an election precinct in Estill county;" that messrs. Barbour, M'Millan and Hardin, be the committee on the part of this house.

And that mr. Barbour inform the senate thereof.

On the motion of mr. Hardin,

Ordered, That a message be sent to the senate, requesting the appointment of a committee of conference to meet a committee to be appointed on the part of this house on the subject of disagreement between the two houses on the amendment proposed by this house to the bill from the senate entitled "an act to amend and reduce into one the several acts authorising changes of venue in civil cases;" that messrs. Hardin J. Taylor and M'Kee, be the committee on the part of this house.

And that mr. Hardin inform the senate thereof.

Ordered, That a bill to amend the several acts concerning surveyors of roads, and the amendments proposed thereto, be laid on the table until the 10th day of March next.

An engrossed bill entitled " an act to alter and amend the

law concerning usury,"

Was read a third time.

Mr. J. Taylor then moved to attach to said bill the fol-

lowing engrossed clause by way of ryder, viz.

Be it further enacted, That all money or property won at any game of hazard, shall be recoverable in courts of law or equity under the same rules and regulations of bona fide contracts.

And the question being taken thereon, it was decided in

the negative.

The yeas and nays being required thereon by messrs. Worthington and Phelps, were as follows, viz.

Yeas-messrs. Booker, Breathitt, Chew, Coburn, Jones;

Owings and J. Taylor-7.

Nays—mr. Speaker, messrs. Allen, Baker, Barnett, Berry, A. Butler, Caldwell, Carter, Chinn, Coombs, Crittenden, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Field, Forrest, Gaither, George, Grant, L. Green, J. Green, Hardin, Haynes, Hickman, Howard, Hunter, Jennings, J. Johnston, Kennedy, Lee, Lockett, Love, J. Logan, M'Closky, M'Millan, Miller, Morton, Mullens, Noland, O'Bannon, Parsons, Pope, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Z. Taylor, Todd, Turner, Underwood, W. Wall, T. Ward, Wickliffe, Williams and Worthington—62.

The question was then put on the passage of the bill, which

was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Kennedy and Smith, were as follows, viz.

Yeas—mr. Speaker, messrs. Allen, Baker, Barnett, Berry, Breathitt, Chew, Chinn, Coburn, Coombs, Crittenden, Cunningham, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Field, L. Green, J. Green, Haynes, Howard, Jones, Kennedy, Lee, Lockett, Love, M'Millan, Miller, Morton, Noland, O'Bannon, Parsons, Pope, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Z. Taylor, Turner, Underwood, W. Wall, Wickliffe and Worthington—47.

Nays-messrs. Barbour, Barr, Booker, A. Butler, Caldwell, Carter, Dallam, Forrest, Gaither, George, Grant, Hardin, Hickman, Hunter, Jennings, J. Johnston, J. Logan,

M'Closky, Owings, J. Taylor, Todd, T. Ward and Williams-23.

ordered, That mr. Smith carry the said bill to the senate, and request their concurrence.

And then the house adjourned.

TUESDAY, FEBRUARY 2, 1819.

Mr. Caldwell presented the petition of William Heath, representing that he took charge of a certain William Stapleton, who was a pauper, and very much afflicted with a disease, of which he has since died; that he has applied to the county courts of Jessamine and Fayette for compensation under the poor laws of the commonwealth; but that it has been refused by the courts of both counties; and praying compensation out of the public treasury.

Which was received, read and referred to the committee

of claims.

Mr. Harrison from the select committee to whom was referred a bill from the senate entitled "an act to incorporate the Beech fork navigation company," reported the same with amendments.

Which being twice read, were concurred in.

Ordered, That the said bill as amended, be read a third time on to-morrow.

A message from the senate by mr. Owens:

Mr. Speaker,

The senate have consented to a conference on the subject of the disagreement of the houses on the amendments to a bill from the senate entitled "an act to amend and reduce into one the several acts authorising changes of venue in civil cases;" and they have appointed a committee on their part.

And then he withdrew.

A message from the senate by mr. Churchill:

Mr. Speaker,

The senate consent to have a conference on the subject of the disagreement of the houses on the amendments proposed to a bill from the senate entitled "an act to establish an election precinct in Estill county;" and they have appointed a committee on their part.

And then he withdrew.

Mr. Underwood from the select committee to whom was referred a bill to provide for surveying and carrying into grant entries made south and west of the Tennessee river,

and for other purposes, reported the same with an amend-

Which being twice read, was concurred in.

Ordered. That the said bill be made the order of the day for to morrow; and that the public printers forthwith print 200 copies of said bill for the use of the members of this house.

Mr. Hardin from the select committee to whom was referred a bill to amend an act entitled "an act to amend an act incorporating the Lexington and Louisville turnpike road company," reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill as amended, be engrossed and read a third time on to-morrow.

On the motion of mr. Caldwell,

Ordered, That leave be given to bring in a bill for the benefit of the Bethel Academy; and that messrs. Caldwell, Pope and Coburn, be appointed to prepare and bring in the same.

Mr. Harrison read and laid on the table the following reso-

lution, viz.

Resolved by the general assembly of the commonwealth of Kentucky, That the acting governor be, and he is hereby authorised to issue his proclamation forbidding all and every person or persons entering or making any improvement or settlement upon any part of the lands within the limits of this state lately acquired by treaty from any of the Indian tribes, until further authorised by law.

Mr. A. Butler from the select committee appointed for that purpose, reported a bill declaring Muddy river a navigable stream.

Which was received and read the first time and ordered to

be read a second time.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of

the following titles:

An act authorising Walter Preston to convey certain lands within this commonwealth; an act for the benefit of Alice Anna Brown; an act for the benefit of Frances Lewis; and an act to alter the mode of taking in lists of taxable pro-

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto. Ordered, That mr. J. Johnston inform the senate thereof.

A message from the senate by mr. Churchill:

Mr. Speaker,

The senate have passed a bill which originated in this house entitled "an act to amend the laws incorporating independent banks," with amendments.

In which they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Barry:

Mr. Speaker,

The senate have passed bills of the following titles:
An act to amend an act entitled "an act to incorporate the Fayette and Madison turnpike road company, and for other purposes;" and an act to incorporate a company to improve the navigation of Elkhorn.

In which bills they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Fleming:

Mr. Speaker,

The senate have passed a bill entitled "an act for the benefit of the heirs and devisees of Andrew Todd."

In which bill they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Crutcher:

Mr. Speaker,

The senate have adopted a resolution from this house for the purchase and disposition of a certain number of copies of Munsell's map of Kentucky, with the following amendment; insert "four to the Transylvania University, and one to each public seminary of learning in the state." And they have passed a bill entitled "an act to extend the June term of the Hardin circuit court, and to alter the time of holding the June term of the Nelson circuit court."

In which amendment and bill they request the concurrence

of this house.

And then he withdrew.

A message from the senate by mr. Fleming:

Mr. Speaker,

The senate have passed bills which originated in this house

of the following titles:

An act to declare Sandy river a navigable stream; and an act to amend an act regulating the town of Prestonsburg in Floyd county, with amendments to the latter bill.

In which they request the concurrence of this house.

And then he withdrew.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had deposited in the office of the secretary of state for the approbation and signature of the lieutenant governor, the enrolled bills signed on this day.

Mr. Howard moved to take up an engrossed bill entitled " an act to amend and continue in force for a longer period the charter of the bank of Kentucky, for the purpose of read-

ing it a third time. Mr. Speaker declared it as his opinion that it was out of order to take up a bill from the regular orders of the day (the rules of the house having prescribed the order in which hills should be taken up, and the precedence thereby established) unless a majority of four-fifths of the members should dispense with the rule of the house on that subject; a majority of four-fifths not voting to take up said bill,

Mr. Harrison appealed to the house from the decision of

the chair.

And the question was put, is the decision of the chair correct? which was decided in the negative.

The yeas and nays being required thereon by messrs.

Harrison and Owings, were as follows viz.

Yeas-Messrs, Baker, Barbour, Barr, Barrett, Baylor, Berry, Breathitt, Caldwell, Carter, Chew, Chinn, Crittenden, Cunningham, Dallam, Duncan (of Daviess) Field, Forrest, Gaither, Grant, L. Green, Hickman, Hunter, J. Johnston, Lackey, Lockett, Love, Megowan, M'Kee, Miller, Noland, O'Bannon, Owings, Parsons, Pope, Scott, Sharp, Smith, Z. Taylor, J. Taylor, Turner, G. Wall, W. Wall and T. Ward-43.

Nays-Messrs. Allen, Barnett, Booker, W. O. Butler, A. Butler, Coburn, Coombs, Davis, Dollerhide, Duncan, (of Lincoln) George, J. Green, Givens, Hanson, Hardin, Harrison, Haynes, Howard, Jennings, J. T. Johnson, B. Johnson, Jones, Kennedy, Knight, Lee, J. Logan, B. Legan, Mercer, M'Closky, M'Millan, Morton, Mullens, Phelps, Prather, Ray, Rennick, Robinson, Stratton, Underwood, J. Ward, Wickliffe, Williams and Worthington

The house being equally divided, mr speaker voted in the negative; and at his request the following was directed to be inserted in the journal, viz.

At the request of the speaker, the house directs the follow-

ing statement to be made a part of the journal:

On the appeal taken from the decision of the chair, a division of the house was had, and it appeared that there was a

majority of one vote against the decision; whereupon the speaker announced the decision of the house to be against the correctness of his own decision. But a member having called for a count before the result of the latter decision was pronounced, and not being heard by the speaker, a count was permitted, and while it was progressing, a call was made for the aves and noes. Several members coming in, on the second vote, the house was equally divided. The speaker then declared that the opinion on which his decision was founded remained unshaken; but as there had been one expression of opinion on the part of the house against it. and as he foresaw that future disorders (which it was his peculiar duty to prevent) might arise from conflicting decisions on the operation of a rule heretofore acquiesced in without a diversity of construction, he felt it a duty which he owed to the house to sacrifice the appearance of consistency to the tranquility of legislation, and accordingly gave the casting vote against the correctness of his own decision.

The said bill was then taken up and read a third time.

Mr. Crittenden then moved to amend said bill by attaching thereto, the following engrossed clause by way of ryder,

viz.

Be it further enacted, That if the said bank shall at any time fail or refuse to pay specie for its notes when the same shall be presented for payment, its charter shall be, and the same is hereby declared to be void; and if at any time any branch of the said bank shall fail or refuse to redeem with specie any note or notes made payable at such branch when presented for payment, such branch shall be withdrawn immediately: and it is hereby declared to be the duty of the president and directors of the bank of Kentucky to withdraw such branch, and to take up and pay off in specie when presented for payment at the mother bank the notes which may have been made payable at such branch; and if the said mother bank shall fail or refuse to take up and pay off in specie the notes of said branch so withdrawn, when the same shall be presented for payment at the mother bank, such failure or refusal shall operate a forfeiture of the charter of said bank.

And the question being taken on agreeing thereto, it was

decided in the negative.

The yeas and nays being required thereon by messrs.

Owings and Barrett, were as follows, viz.

Yeas—Mr. Speaker, messrs. Barrett, Breathitt, W. O. Butler, Caldwell, Chew, Chinn, Crittenden, Field, Forrest, Gaither, Grant, L. Green, Hanson, Hickman, J. Johnston,

B. Jehnson, Jones, Lackey, Lee, Lockett, Love, Megowan, M'Kee, M'Millan, Noland, O'Bannon, Owings, Parsons, Pope, Scott, Sharp, Z. Taylor, J. Taylor, Turner, Under-

wood G. Wall, W. Wall and Worthington-59.

Nays—Messrs. Allen, Baker, Barbour, Barnett, Baylor, Booker, A. Butler, Carter, Coburn, Coombs, Cunningham, Dallam, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) George, J. Green, Givens, Hardin, Harrison, Haynes, Howard, Hunter, Jennings, J. T. Johnson, Kennedy, Knight, J. Logan, B. Logan, Mercer, M'Closky, Miller, Morton, Mullens, Phelps, Prather, Ray, Rennick, Robinson, Smith, Stratto, Todd, T. Ward, J. Ward and Wickliffe—45.

The question was then put on the passage of the bill, which

was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Owings and Chew, were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Baker, Barbour, Barnett, Barr, Barrett, Baylor, Booker, Breathitt, A. Butler, Carter, Chinn, Coburn, Coombs, Crittenden, Cunningham, Dallam, Davis, Öollerhide, Duncan (of Daviess) Duncan (of Lincoln) Field, George, Grant, J. Green, Givens, Hanson, Hardin, Harrison, Haynes, Hickman, Howard, Hunter, Jennings. J. T. Johnson, Jones, Kennedy, Knight, Lackey, Love, J. Logan, B. Logan, Mercer, M'Kee, M'-Closky, M'Millan, Miller, Morton, Mullens, Noland, Parsons, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Stratton, Todd, Turner, Underwood, G. Wall, W. Wall, T. Ward, J. Ward, Wickliffe, Williams and Worthington—71.

Nays—Messrs. W. O. Butler, Caldwell, Chew, Forrest, Gaither, L. Green, J. Johnston, B. Johnson, Lee, Lockett, Megowan, O'Bannon, Owings, Pope, Z. Taylor and J. Taylor—16.

Resolved, That the title of said bill be as aforesaid.

Ordered, That mr. Todd carry the same to the senate, and

request their concurrence.

An engrossed bill entitled "an act to amend the act establishing a turnpike on the road from the mouth of Big Sandy through the counties of Greenup and Lewis in the direction to Flemingsburg to Joseph Watkins's,"

Was read a third time.

And the question being taken on the passage thereof, it was decided in the affirmative.

The yeas and nays being required thereon by messrs. Scott and Stratton, were as follows, viz.

Yeas—Mr. Speaker, messis. Baker, Barbour, Barnett, Barr, Baylor. W. O. Butler, Carter, Chew, Chinn, Coombs, Crittenden, Dallam, Davis, Field, George, Grant, Givens, Hardin, Harrison, Hickman, Howard, Hunter, J. T. Johnson, B. Johnson, Knight, Lackey, Lockett, Love, Megowan, Mercer, Miller, O'Bannon, Stratton, J. Taylor, Todd, Underwood, G. Wall, T. Ward, J. Ward and Williams—41.

Nays—Messes. Allen, Breathitt, Cunningham, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, L. Green, Hanson, Haynes, J. Johnston, Jones, Kennedy, Lee, M'Millan, Morton, Noland, Phelps, Prather, Scott, Smith, Turner, W. Wall and Wickliffe—24.

Resolved. That the title of the bill be as aforesaid.

Ordered, That mr. T. Ward carry the same to the senate, and request their concurrence.

An engrossed bill entitled "an act to amend the charter of the bank of Green river,"

Was read a third time.

And the question being taken on the passage thereof it was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Hanson and Rennick, were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Baker, Barnett, Berry, Breathitt, Chew, Coombs, Cunningham, Davis, George, Grant, Givens, Hardin, Harrison, J. T. Johnson, Kennedy, Knight, Lackey, J. Logan, Miller, Morton Mullens, Owings, Parsons, Ray, Rennick, Scott, Sharp, Smith, Stratton, Todd, Underwood, G. Wall, W. Wall, T. Ward, J. Ward and Wickliffe—58.

Nays—Messrs. Barbour, Barr, Barrett, Carter, Chinn, Dollerhide, Duncan (of Daviess) Field. Forrest, Gaither, L. Green, J. Green, Hanson, Haynes, Howard, Hunter, J. Johnston, Jones, Lockett, M'Closky, Noland, O'Bannon, Prather, Robinson, Z. Taylor, J. Taylor, Turner and Williams—28.

Ordered, That mr. Underwood carry the said bill to the senate, and request their concurrence.

A message from the senate by mr. Churchill :

Mr. Specker,

The senate have passed a bill which originated in this house entitled "an act giving additional powers to the trustees of the towns of Louisville and Nicholasville," with an amendment.

in which they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Lee their secretary? Mr. Speaker,

The senate have passed bills which originated in this house

of the following titles :

An act allowing coroners and elisors pay for certain services; an act to authorise William and James Newton to build a dam and water grist and saw-mill on Rough creek in Ohio county; an act to repeal the act of the 23d January, 1818, relative to Morgantown; an act concerning the town of Versailles; an act to authorise the sale of the donation lands of the Salem academy; and an act for the benefit of John P. Thomas, late treasurer, with an amendment to the latter bill.

And they have passed bills of the following titles:

An act concerning the Kentucky seminary; an act to authorise the trustees of the town of Bowling-Green to levy additional taxes; an act for the benefit of the trustees of Liberty and Lewis academies; and an act more effectually to provide for collection of money payable to the commonwealth.

In which amendment and bills they request the concurs

And then he withdrew.

A message from the lieutenant governor by mr. Wag-

Mr. Speaker,

The licutenant governor did on this day approve and sign enrolled bills which originated in this house, of the following titles:

An act to alter the mode of taking in lists of taxable property; an act authorising Walter Preston to convey certain lands within this commonwealth; an act for the benefit of Frances Lewis; and an act for the benefit of Alice Anna Brown.

And then he withdrew.

Ordered, That mr. Coburn inform the senate thereof.

The house took up a memorial and resolution laid on the table by mr. Underwood, relative to the boundary line between this state and the state of Tennessee.

Which being twice read was adopted.

Ordered, That mr. Underwood carry the same to the senate, and request their concurrence.

Engrossed bills of the following titles:

1. An act authorising suits against heirs and devisees in certain cases, and limiting the time of bringing suits against

executors and administrators; 2. An act to adjust the boundary line between this state and the state of Tennessee; 3. An act to repeal all acts or parts of acts allowing ten per centum damages on protested bills of exchange; 4. An act to punish with death slaves who shall wilfully and maliciously attempt to kill another person; and 5. An act to establish the town of Bloomfield in Nelson county.

Were severally read a third time, and engrossed clauses

added to the two latter by way of ryder.

Resolved, That the said bills do pass; that the title of the first be as aforesaid; that of the second be amended to read "an act for running the boundary line between this state and the state of Tennessee, west of the Tennessee river;" that of the third be amended to read "an act to reduce the damages on protested inland bills of exchange; that of the fourth be amended to read "an act concerning certain offences committed by slaves, and giving the circuit courts jurisdiction for the trial of slaves for capital offences;" and that of the fifth be amended by adding thereto "and for other purposes."

Ordered, That mr. Worthington carry the first; mr. Todd the second; mr. Harrison the third; mr. Hardin the fourth; and mr. M'Closky the fifth bills to the senate, and request

their concurrence.

And then the house adjourned.

WEDNESDAY, FEBRUARY 3, 1819.

On the motion of mr. Todd,

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Ordered, That the memorial of messrs. Butler and Wood, be referred to the committee of claims.

On the motion of mr. Harrison,

Ordered, That leave be given to bring in a bill to suspend the act compelling circuit judges to reside in their respective circuits; and that messrs. Harrison, B. Logan and Chew, be appointed a committee to prepare and bring in the same.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit:

By mr. Caldwell-1. A bill for the benefit of the Bethel

Seminary.

And by mr. Harrison—2. A bill to suspend the act compelling circuit judges to reside in their respective circuits. Which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second and third readings of the first bill being dispensed with, and the same being engrossed:

Resolved, That the said bills do pass, and that the titles

thereof be as aforesaid.

Ordered, That mr. Caldwell carry the same to the sen-

ate and request their concurrence.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of

the following titles:

An act to declare Great Sandy river a navigable stream; an act concerning the duties of the register of the land office; an act for the relief of the administrators and heirs of John Stapp, deceased; an act allowing an additional number of justices of the peace to certain counties in this commonwealth; an act for the benefit of James Elder; an act vesting certain powers in the trustees of the towns of Flemingsburg and Lebanon; an act for the relief of the surveyors of Jefferson and Garrard counties; an act authorising the payment of a sum of money due by the commonwealth to John Hunter; and an act for the relief of Eliza G. Ball.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered. That mr. Johnston inform the senate thereof.

Ordered. That the second reading of a bill to create additional judicial districts, be dispensed with; and that the same be referred to a sefect committee of messrs. Underwood, A. Butler, Wickliffe, Parsons, Todd, M'Kee, Sharp and Cunningham.

A bill from the senate entitled " an act to amend the seve-

ral acts concerning the distribution of the laws,"

Was read the first time, and ordered to be read a second time.

Mr. M'Millan from the committee of conference on a bill from the senate entitled an act to establish an election precinct in Estill county's reported the same back without a proposition for amendment.

Whereupon.

Resolved, That this house recede from their disagreement to the senate's amendment.

Ordered, That mr. Pope inform the senate thereof.

Ordered, That a bill to provide for surveying and carrying into grant entries made south and west of the Tennessee

river, and for other purposes, be made the order of the day for to-morrow.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had deposited in the office of the secretary of state for the approbation and signature of the lieutenant governor, the enrolled bills signed on this day.

The house took up the amendments proposed by the senate to a resolution from this house providing for the purchase and distribution of a certain number of copies of Munsell's map of Kentucky, which proposes to give to the Transylvania University four copies, and one copy to each public seminary and academy.

Which being twice read, was disagreed to.

The yeas and nays being required thereon by messrs.

Forrest and Booker, were as follows, viz.

Yeas—Mr. Speaker, messrs. Baker, Barrett, Baylor, Breathitt, W. O. Butler, A. Butler, Caldwell, Chew, Coombs, Crittenden, Field, J. Green, Givens, J. Johnston, J. T. Johnson, B. Johnson, Knight, Love, B. Logan, Rennick, Robinson, Sharp, J. Taylor, Todd, Turner, Underwood, G. Wall and Worthington—29.

Nays—Messrs. Allen, Barbour, Barnett, Berry, Booker, Carter, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, Gaither, George, L. Green, Hanson, Hardin, Harrison, Haynes, Jones, Kennedy, Lackey, Lee, J. Logan, Megowan, Mercer, M'Closky, M'Millan, Miller, Morton, Mullens, Noland, O'Bannon, Parsons, Pope, Phelps, Prather, Ray, Scott, Smith, Stratton, Z. Taylor, Thomas, W. Wall, Wickliffe and Williams—48

ordered, That mr. J. T. Johnson inform the senate thereof.

A message from the senate by mr. Crutcher:

Mr. Speaker.

The senate have passed a bill which originated in this house entitled "an act authorising the payment of a sum of money due by the commonwealth to John Hunter.

And then he withdrew.

The house took up the amendment proposed by the senate to a bill from this house entitled " an act to amend an act regulating the town of Prestonsburg in Floyd county."

Which being twice read, was concurred in.

Ordered, That mr. Lackey inform the senate thereof.

The house took up the amendments proposed by the senate to bills from this house of the following titles:

An act giving additional powers to the trustees of the towns of Louisville and Nicholasville: an act for the benefit of John P. Thomas, late-treasurer.

Which being severally twice read, were concurred in. Ordered, That mr. Todd inform the senate thereof.

The house took up the amendments proposed by the senate to a bill from this house entitled " an act to amend the laws

incorporating independent banks."

Which being severally twice read, the first, second and seventh, were disagreed to: and the fourth, fifth, sixth and eighth, concurred in with amendments to the fourth, fifthand eighth.

The third amendment of the senate, which proposes to insert the following as an additional section, was also twice

read as follows:

§ 5. Each independent bank shall on the second Monday in November in every year, make out a true statement of its situation, shewing the amount of the capital stock paid in: the notes in circulation; the amount of their bills receivable; the specie actually in the vaults; also the notes of other banks; the debts due to the institution, and the amount of deposits; which report shall be sworn to by the president or cashier before some justice of the peace; a copy of which report shall be transmitted to each branch of the legislature. during the first week of their session in every year.

And the question being taken on concurring in the said

amendment, it was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Baylor and J. Logan, were as follows viz.

Yeas-Messrs. Allen, Barbour, Barnett, Barrett, Baylor. Berry, Booker, Breathitt, A. Butler, Chew, Chinn, Coombs. Crittenden, Cunningham, Dollerhide, Duncan (of Lincoln) Field, Forrest, George, L. Green, J. Green, Givens, Hanson, Hardin, Harrison, Haynes, Hickman, Howard, J. T. Johnson, B. Johnson, Jones, Kennedy, Knight, Lackey. Lee, J. Logan, B. Logan, Megowan, Mercer, M Kee, M'-Closky, M'Millan, Miller, Morton, Mullens, Noland. O'Bannon, Owings, Pope, Phelps, Prather, Rennick, Robinson, Scott, Sharp, Smith, Stratton, Z. Taylor, J. Taylor, Thomas, Todd, Turner, Underwood, G. Wall, W. Wall, J. Ward, Wickliffe, Williams and Worthington- 69.

Nays-Messrs. Davis, Duncan (of Daviess) Gaither.

Grant, Jennings, Love and Ray-7.

Ordered, That the clerk inform the senate thereof, and request their concurrence in said amendments.

An engrossed bill entitled "an act appropriating the bonus of the Farmers and Mechanics' Bank of Lexington to the Transylvania University."

Was read the third time.

And the question being taken on the passage thereof it was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Dollerhide and Crittenden, were as follows, to wit:

Yeas—Mr. Speaker, messrs. Barbour, Barnett, Bar, Baylor, Breathitt, W. O. Butler, A. Butler, Carter, Chew, Coombs, Crittenden, Dallam, Field, George J. Green, Hardin, Hickman, Howard, J. T. Johnson, B. Johnson, Jones, Kennedy, Knight, Lackey, Love, J. Logan, Megowan, Mercer, Miller, Morton, Owings, Parsons, Pope, Rennick, Sharp, Stratton, Todd, Turner, G. Wall, W. Wall, T. Ward, Williams and Worthington—44.

Nays—Messrs. Allen, Baker, Berry, Booker, Cunningham, Davis, Dollerhide, Duncan (of Daviess) Forrest, Gaither, Grant, L. Green, Hanson, Haynes, Lee, M'Closky, Noland, O'Bannon, Prather, Ray, Robinson, Scott, Smith,

Z. Taylor and Wickliffe-25.

Ordered, That the title of said bill be amended by adding the words "for three years," and that mr. Crittenden carry the said bill to the senate, and request their concurrence.

An engrossed bill entitled "an act to amend an act entitled an act to amend an act incorporating the Lexington and Louisville turnpike road company," was read a third time, and the blank therein filled.

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered, That the clerk carry the same to the senate, and request their concurrence.

A message from the senate by mr. Bledsoe:

Mr. Speaker,

The senate have passed a bill entitled "an act to continue in force an act to suspend law process in certain cases."

In which bill they request the concurrence of this house.

And then he withdrew.

A bill from the senate entitled "an act to incorporate the Beech fork navigation company,"

Was read a third time as amended.

And the question being taken on the passage thereof, it was decided in the affirmative.

The yeas and nays being required thereon by messrs. Booker and Robinson, were as follows, viz.

Yeas—Mr. Speaker, messrs. Baker, Barnett, Baylor, Breathitt, Caldwell, Chew, Chinn, Coombs, Dallam, Davis, Duncan (of Daviess) Duncan (of Lincoln) Field, George, J. Green, Givens, Hardin, Harrison, Hickman, Howard, J. T. Johnson, B. Johnson, Jones, Lockett, Love, J. Logan, Megowan, M'Closky, Miller, Morton Mullens, Owings, Pope, Smith, G. Wall and W. Wall—37.

Nays—Messrs. Allen, Barrett, Berry, Booker, W. O. Butler, Carter, Cunningham, Forrest, Gaither, L. Green, Haynes, Kennedy, Noland, Phelps, Prather, Ray, Robinson, Scott, Sharp, Z. Taylor, J. Taylor, Thomas and Turner

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Ordered, That mr. Harrison inform the senate thereof, and request their concurrence in the said amendments.

A bill from the senate entitled " an act for the relief of

Elizabeth Armstrong,"

Was read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second and third readings of said bill being dispensed with:

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That mr. Barrett inform the senate thereof.

A message from the senate by mr. Bledsoe;

Mr. Speaker.

The senate have passed a bill which originated in this house entitled "an act for the benefit of Bethel academy," with amendments.

In which amendments they request the concurrence of this house.

And then he withdrew.

The house took up the amendments proposed by the committee to a bill to create a literary fund.

Which being twice read, was disagreed to.

It was then moved and seconded to lay the said bill on the table until the 10th day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by messrs.

W. O. Butler and Todd, were as follows, viz.

Yeas—Messrs. Allen, Baker, Barrett, Berry, Chinn, Cunningham, Davis, Dollerhide, Duncan (of Daviess) Forrest, Gaither, L. Green, Givens, Haynes, Jennings, J. Johnston, Lee, Mercer, M'Millan, Miller, Noland, O'Bannon, Phelps, Prather, Ray, Rennick, Robinson, Scott, Smith, Z.

Taylor and Wickliffe-31.

Nays—Mr. Speaker, messrs. Barbour, Barnett, Barry Baylor, Booker, Breathitt, W. O. Butler, Caldwell, Carter, Chew, Coombs, Dallam, Duncan (of Lincoln) George, Grant, Hanson, Hardin, Hickman, Howard, J. T. Johnson, B. Johnson, Jones, Kennedy, Knight, Lockett, Love, J. Logan, Megowan, M'Closky, Morton, Parsons, Pope, Stratton, J. Taylor, Thomas, Todd, Turner, Underwood, G. Wall, W. Wall, T. Ward, J. Ward, Williams and Worthington—45.

The said bill having been further amended,

It was then moved and seconded to lay the said bill on the table until the first day of March next.

And the question being taken thereon, it was decided in

the affirmative.

The yeas and nays being required thereon by messrs.

W. O. Butler and Todd, were as follows viz.

Yeas—Messrs. Allen, Baker, Barbour, Barrett, Berry, Chinn, Cunningham, Davis, Dollerhide, Duncan (of Daviess) Forrest, Gaither, George, Grant, L. Green, Givens, Harrison, Haynes, Jennings, J. Johnston, Kennedy, Lackey, Lee, Lockett, Mercer, M'Closky, M'Millan, Miller, Mullens, Noland, O'Barnon, Phelps, Prather, Ray, Rennick, Robinson, Scott, Smith, Stratton, Z. Taylor, Thomas, Wickliffe and Williams—43.

Nays—Mr. Speaker, messrs. Barnett, Barr, Baylor, Booker, Breathitt, W. O. Butler, Caldwell, Carter, Chew. Coombs, Dallam, Duncan, (of Lincoln) J. Green, Hanson, Hardin, Hickman, Howard, J. T. Johnson, B. Johnson, Jones, Knight, Love, J. Logan, Megowan, Morton, Parsons, Pope, Sharp, J. Taylor, Todd, Turner, Underwood, G. Wall, W. Wall, T. Ward, J. Ward, and Worthington

A message from the senate by mr. Lee their secretary :

Mr. Speaker,

The senate insist on their amendment proposed to a resolution from this house for the purchase and disposition of a certain number of copies of Munsell's map of Kentucky. They insist on their first, second and eighth, and recede from their seventh amendment, proposed to a bill from this house entitled "an act to amend the laws incorporating independent banks;" and they concur in the amendments proposed by this house to the fourth and fifth amendments proposed by the senate to the said bill. They concur in the first, se-

cond, third, fifth, sixth, seventh, eighth, twelfth and sixteenth amendments, and disagree to the fourth, ninth, tenth, eleventh, thirteenth and fifteenth amendments proposed by this house to a bill from that entitled "an act to incorporate the Beech fork navigation company."

And then he withdrew.

The house took up the bill for classing tobacco, with the amendment thereto.

Ordered, That the said bill and amendment be laid on the

table until the first day of March next.

Ordered, That the bill authorising the appointment of port wardens for the county of Jefferson, and prescribing their duties, be laid on the table.

The bill from the senate entitled "an act authorising certain county courts to appoint port wardens, and prescribing their duties."

Was read the first time, and ordered to be read a second

And thereupon the rule of the house and second reading of the said bill being dispensed with, the same was amended and ordered to be read a third time to-morrow.

Ordered, That the public printers forthwith print 400 copies of the act to alter the mode of taking in lists of taxable property for the use of the members of this house.

The following bills were severally read a second time,

viz.

1. A bill concerning the marriage of Milton Gray; 2. A bill more effectually to provide for the recovery of certain claims against the county courts of this commonwealth; 3 A bill further to regulate the proceedings of the county court of Fayette; 4. A bill for the benefit of the heirs of Henry Garrard, deceased; 5. A bill for the relief of David Woodruff; 6. A bill for the benefit of Hetty Hall; and 7. A bill to establish the true line between the counties of Floyd and Greenup.

The first, third, fourth, sixth and seventh (the first, sixth and seventh being amended at the clerk's table) were severally ordered to be engrossed and read a third time; the second was committed to a select committee of messrs J. Taylor, Sharp, Hardin and Barr; and the fifth to a select com-

mittee of messrs. Jones, George and Givens.

And thereupon the rule of the house and third reading of the first, third, fourth, sixth and seventh bills being dispensed with, and the sixth being amended by an engressed ryder: Resolved, That the said bills do pass, and that the titles of the first, third, fourth and seventh be as aforesaid, and that of the sixth be amended by adding thereto the words "and others."

Ordered, That mr. Hunter carry the first; mr. Barr the third; mr. Lockett the fourth; mr. Smith the sixth; and mr. T. Ward the seventh bills to the senate, and request their concurrence.

Mr. T. Ward read and laid on the table the following resolution:

Resolved by the general assembly of the commonwealth of Kentucky, That they will on Thursday the fourth day of February, 1819, proceed by a joint vote of both houses to the election of commissioners to superintend the improvement of the several navigable streams in this commonwealth for the year 1819.

Ordered, That a bill to incorporate the broadway bridge

company be faid on the table.

It was moved and seconded to take up a bill from the senate entitled "an act to incorporate the broadway bridge company," and to read the same in lieu of the bill just laid down.

It was then moved and seconded that the house do now adjourn, it being thirty minutes after six o'clock, P. M.

And the question being taken thereon, it was decided in

the negative.

The year and nays being required thereon by messrs.

Kennedy and Dallam, were as follows, viz.

Yeas—Mr. Speaker, messrs. Baruett, Barr, Breathitt, W. O. Butler, Caldwell, Carter, Crittenden, Duncan (of Lincoln) Field, Gaither, L. Green, J. Green, Hanson, Howard, Kennedy, Lee, Lockett, Love, Megowan, M'Millan,

Smith, J. Taylor and Worthington-24.

Nays—Messrs, Allen, Baker, Barbour, Baylor, Berry, Booker, A. Butler, Chew, Chinn, Coombs, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Forrest, George, Grant, Givens, Hardin, Harrison, Haynes, Hickman, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Jones, J. Logan, Mercer, M'Closky, Miller, Mullens, Noland, O'Bannon, Owings, Pope, Phelps, Prather, Ray, Rennick, Robinson, Scott, Sharp, Z. Taylor, Thomas, Todd, Turner, Underwood, G. Wall, W. Wall T. Ward, Wickliffe and Williams—54.

The question was then put upon taking up said bill, which was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Kennedy and Dallam, were as follows, viz.

Yeas-Mr. Speaker, messrs. Baker, Barbour, Baylor, Booker, Breathitt, W. O. Butler, A. Butler, Carter, Chew, Chinn, Crittenden, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Gaither, George, Grant, L. Green, Givens, Hardin, Harrison, Haynes, J. Jehnston, J. T. Johnson, B. Johnson, Jones, Lackey, Lee, Lockett, Love, J. Logan, Megowan, M'Closky, Miller, Mullens, O'Bannon, Pope, Ray, Rennick, Robinson, Scott, Sharp, Smith, Z. Taylor J. Taylor, Thomas, Todd, Turner, Underwood, G. Wall, W. Wall, T. Ward, Wickliffe, and Williams-57.

Nay-Messsrs. Allen, Barnett, Barr, Berry, Caldwell, Coombs, Duncan (of Lincoln) Field, Forrest, J. Green, Hanson, Howard, Jennings, Kennedy, M'Millan, Noland,

Owings, Phelps and Prather-20.

It was then moved and seconded at 53 minutes after 6

o'clock, P. M. that the house do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by messrs.

Kennedy and Todd, were as follows, to wit:

Yeas-Mr. Speaker, messrs. Baker, Barnett, Barr. Baylor, Breathitt, W. O. Butler, Caldwell. Carter, Crittenden, Duncan (of Lincoln) Field, Gaither. Grant, L. Green, J. Green, Hanson, Howard, Jones, Kennedy, Lackey, Lee, Lockett, Love, Megowan, M'Millan, Miller, Mullens, Noland, Prather, Ray, Smith, J. Taylor, T. Ward, Williams and Worthington-S6.

Nays-Messrs. Allen, Barbour, Berry, Booker, A. Butler, Chew, Chinn, Coombs, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Forrest, George, Givens. Hardin, Harrison, Haynes, Hickman, Jennings, J. Johnston, J. T. Johnson, B. Johnson, J. Logan, Mercer, M'Closky, O'Bannon, Owings, Pope, Phelps, Rennick, Robinson, Scott, Sharp, Z. Taylor, Thomas, Todd, Turner, Underwood, G.

Wall, W. Wall and Wickliffe-43.

The said bill was then read the first time, and ordered to be read a second time.

Ordered, That the public printers forthwith print 250 copics of the said bill for the use of the members of this house.

And then the house adjourned.

THURSDAY, FEBRUARY 4, 1819.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of

the following titles :

An act to amend the act regulating the town of Prestonsburg in Floyd county; an act to repeal the act of the 23d of January, 1819, relative to Morgantown; an act for the benefit of John P. Thomas, late treasurer; an act giving additional powers to the trustees of the towns of Louisville and Nicholasville; an act allowing coroners and ellisors pay for certain services; an act to authorise William and James Newton to build a dam and water grist and saw-mill on Rough creek in Ohio county; an act concerning the town of Versailles; and an act to authorise the sale of the donation lands of Salem academy.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Johnston inform the senate thereof.

Mr. Hardin from the committee of conference on a bill from the senate entitled "an act to amend and reduce into one the several acts authorising changes of venue in civil cases, made the following report:

The committee of free conference on the disagreeing votes of the two houses relative to the bill entitled " an act to amend and reduce into one the several acts authorising changes of

venue," recommend the following course :

That the house of representatives insist on their amend-

That the senate recede from their disagreement and agree to the amendments of the house of representatives with certain amendments prepared and in the hands of the committee on the part of the senate.

Which being twice read, was concurred in.

Resolved, That the house insist on their amendment to said bill.

Ordered, That mr. Hardin inform the senate thereof.

Mr. J. Taylor from the select committee to whom was referred a bill more effectually to provide for the recovery of certain claims against the county courts of this commonwealth, reported the same with an amendment.

Which being twice read,

Ordered, That the said bill and amendment be laid on the table until the first day of May next.

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Mr. George from the select committee to whom was referred a bill for the relief of David Woodruff, reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill be engrossed as amended, and

read a third time.

And thereupon the rule of the house and third reading of said bill being dispensed with, and the same being engros-

Resolved, That the said bill do pass, and that the title thereof be amended to read "an act for the relief of David Woodruff and David Harris."

Ordered. That mr. Jones carry the said bill to the senate,

and request their concurrence.

On motion of mr. Baylor,

Ordered, That a message be sent to the senate requesting the appointment of a committee of conference on the subject of the disagreement of the two houses on a bill to amend the laws incorporating independent banks; that messrs. Baylor, M'Kee, Sharp and Hanson, be the committee on the part of this house; and that mr. Baylor inform the senate thereof.

A message from the senate by mr. Crutcher:

Mr. Speaker,

The senate have passed a bill which originated in this house entitled " an act to establish the town of Bloomfield in Nelson county, and for other purposes," with amend-

In which they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Yancey :

Mr. Speaker,

The senate have passed a bill which originated in this house entitled an act to amend the charter of the bank of Green river," with an amendment.

In which they request the concurrence of this house.

And then he withdrew.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had on this day deposited in the office of the secretary of state for the approbation and signature of the lieutenant governor, the bills signed on this

A bill to provide for surveying and carrying into grantentries made south and west of the Tennessee river, and for other purposes, as amended, was taken up, read and amen-

ded.

It was then moved and seconded to lay the said bill and amendments on the table until the first day of March next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Rennick and Harrison, were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Baker, Barnett, Barr, Berry, Carter, Chew, Chinn, Coombs, Crittenden, Cumingham, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Field, Forrest, George, L. Green, J. Green, Givens, Hanson, Harrison, Haynes, Jennings, J. Johnston, J. T. Johnson, Jones, Kennedy, Lee, Lockett, Mercer, M'Closky, Miller, Mullens, Noland, O'Bannon, Owings, Parsons, Prather, Scott, Sharp, Stratton, Z. Taylor, J. Taylor, Thomas, G. Wall, J. Ward, Wickliffe, Williams and Worthington—51.

Nays—Messrs. Barbour, Baylor, Booker, Breathitt, W. O. Butler, A. Butler, Caldwell, Dallam, Davis, Gaither, Grant, Hardin, Hunter, Knight, Lackey, Love, J. Logan, Megowan, M'Kee, Pope, Ray, Rennick, Robinson, Smith, Todd, Turner, Underwood, W. Wall and T. Ward—29.

Mr. Todd presented the remonstrance of sundry citizens of Franklin county, remonstrating against the constitutionality of some provisions of the laws establishing a turnpike road from Lexington to Louisville; and proposing sundry amendments thereto.

Which was received, read and referred to the committee

of propositions and grievances.

Ordered, That a resolution for the purchase and disposition of a certain number of copies of Munsell's map of Kentucky, and the amendments proposed thereto by the senate,

be laid on the table until the first day of June next.

Ordered, That the second reading of a bill establishing a turnpike on the road leading from Georgetown to Cincinnati, and of a bill to incorporate the Burlington library company in this commonwealth, be dispensed with; that the former be referred to a select committee of messrs. G. Wall, J. T. Johnson, Mullens and Grant; and the latter to a select committee of messrs. B. Johnson, W. K. Wall and J. Taylor.

The house proceeded to re-consider their fourth, ninth, tenth, eleventh, thirteenth, fourteenth and fifteenth amendments proposed to a bill from the senate entitled "an act to incorporate the Beech fork navigation company."

Which being again twice read,

Resolved, That this house adhere to their said amendments.

Ordered, That mr. Harrison inform the senate thereof.

The house took up the amendments proposed by the senate

to bills from this house of the following titles :

An act to establish the town of Bloomfield in Nelson county, and for other purposes; an act to amend the law incorporating the bank of Green river; and an act for the benefit of Bethel academy.

Which being twice read, were concurred in.

Ordered, That mr. Underwood inform the senate thereof.

A bill from the senate entitled "an act authorising certain county courts to appoint port wardens, and prescribing their duties."

Was read a third time as amended.

Resolved, That the said bill as amended, do pass, and that the title thereof be as aforesaid.

Ordered, That mr. Pope inform the senate thereof, and re-

quest their concurrence in said amendments.

Ordered, That a bill for the extension of the prison bounds be laid on the table until the first day of June next; and that a bill to continue in force an act to suspend law process in certain cases, approved February 6, 1816, be laid on the table for the present.

A bill from the senate entitled " an act to continue in force an act to suspend law process in certain cases," approved

February 6, 1816,

Was read the first time.

It was then moved and seconded to lay the said bill on the table until the first day of June next.

And the question being taken thereon, it was decided in

the negative.

The yeas and nays being required thereon by messrs.

Baylor and Sharp, were as follows, to wit:

Yeas—Mr. Speaker, messrs. Barnett, Barr, Caldwell, Crittenden, Cunningham, Duncan (of Lincoln) Gaither, Grant, L. Green, Hanson, Hardin, Howard, Kennedy, Lee, Lockett, Love, M'Kee, O'Bannon, Pope, Phelps, Scott,

Sharp, Underwood and Worthington-25.

Nays—Messrs. Allen, Baker, Barbour, Baylor, Berry, Booker, Breathitt, W. O. Butler, Carter, Chew, Chinn, Coombs, Dallam, Davis, Duncan (of Daviess) Forrest, George, J. Green, Harrison, Haynes, Hickman, Hunter, J. Johnston, J. T. Johnson, B. Johnson, Jones, Lackey, Megowan, Mercer, M'Closky, Miller, Morton, Mullens, No-

land, Owings, Parsons, Ray, Rennick, Robinson, Smith, Stratton, Z. Taylor, J. Taylor, Thomas, Todd, Turner, G. Wall, W. Wall, T. Ward, J. Ward, Wickliffe and Williams —52.

The said bill was then ordered to be read a second time.

A bill from the senate entitled "an act to regulate the practice of the general court in certain cases,"

Was read the first time, and ordered to be read a second

time.

And thereupon the rule of the house and second and third readings of said bill being dispensed with:

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered, That mr. Hardin inform the senate thereof.

A message from the senate by mr. Churchill:

Mr. Speaker,

The senate concur in the amendments proposed by this house to a bill entitled "an act authorising certain county courts to appoint port wardens, and prescribing their duties."

And then he withdrew.

A bill to amend the militia law, was read a second time, and laid on the table until the first day of June next.

A bill to amend the occupying claimant law, was read a

second time as follows, viz.

§ 1. Be it enacted by the general assembly of the commonwealth of Kentucky, That hereafter when commissioners are appointed pursuant to an act entitled "an act to amend an act entitled an act concerning occupying claimants of land," passed January 31, 1812, it shall be the duty of the said commissioners, in all cases, to estimate the land at such price as in their opinion it was worth at the time of original seating and improving the same.

§ 2. Be it further enacted, That the occupant shall not hereafter be turned out of possession or liable to any charge for rent before he has actually received from the adverse claimant, the full value of his improvements as estimated by

the commissioners appointed as aforesaid.

§ S. Be it further enacted, That if the successful claimant refuses to pay for the improvements according to the provisions of this act, and shall elect to make the occupant pay for the land, the said successful claimant shall in that case recover from the occupant the value of the land estimated as herein directed, and no more.

It was then moved and seconded to lay the said bill on the

table until the first day of May next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Stratton and O'Bannon were as follows, viz.

Yeas—Mr. Speaker, messrs. Barbour, Barnett, Berry, W. O. Butler, Caldwell, Crittenden, Dallam, Duncan (of Lincoln) Forrest, Gaither, Grant, L. Green, J. Green, Harrison, Howard, Hunter, J. T. Johnson, B. Johnson, Kennedy, Lockett, Love, J. Logan, Noland, Owings, Phelps, Prather, Rennick, Robinson, Scott, Smith, J. Taylor, Turner, Underwood, G. Wall, W. Wall, Wickliffe and Worthington—38.

Nays—Messrs. Allen, Baker, Baylor, Booker, Breathitt, Carter, Chew, Chinn, Coombs, Cunningham, Davis, Dollerhide, Duncan (of Daviess) Field, George, Hanson, Haynes, Hickman, Jennings, J. Johnston, Jones, Lackey, Lee, Megowan, M'Kee, M'Closky, Miller, Mullens, O'Bannon, Pope, Stratton, Z. Taylor Thomas, T. Ward and Wilson

liams-35.

And then the house adjourned.

FRIDAY, FEBRUARY 5, 1819.

Mr. Dallam presented the memorial of sundry citizens of this commonwealth, relative to the expenditure of the appropriation for the improvement of internal navigation on the Cumberland river; and praying that the same may be appropriated to the improvement of said river near its mouth. Which was received, read and laid on the table.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined an enrolled bill entitled "an act to establish the town of Bloomfield in Nelson county, and for other purposes," and a bill entitled "an act to amend the charter of the bank of Green river."

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Johnston inform the senate thereof.

A message from the senate by mr. Lee their secretary:

Mr. Speaker,

The senate have received official information that the lieutenant governor did on yesterday approve and sign enrolled bills which originated in that house of the following titles:

An act allowing an additional number of justices of the peace to certain counties in this commonwealth; an act for the re-

Hef of the surveyors of Jefferson and Garrard counties; an act for the relief of Eliza G. Ball; an act for the relief of the administrators and heirs of John Stapp, deceased; an act concerning the duties of the register of the land office; an act vesting certain powers in the trustees of the towns of Flemingsburg and Lebanon; an act for the benefit of James Elder.

They disagree to a bill which originated in this house entitled "an act concerning certain offences committed by slaves, and giving the circuit courts jurisdiction for the trial of slaves for capital offences.

They have passed bills which originated in this house of the

following titles:

An act to amend an act for the benefit of Peter Sibert; an act to amend an act entitled "an act to amend an act incorporating the Lexington and Louisville turnpike road company;" and an act for the relief of Joseph C. Belt, with an amendment to the latter bill. And they recede from their disagreement to, and concur in the amendments proposed by this house to the bill from the senate entitled "an act to amend and reduce into one the several acts authorising changes of venue in civil cases," with amendments.

In which amendments they request the concurrence of this

house.

And then he withdrew.

Mr. G. Wall from the select committee to whom was referred a bill establishing a turnpike on the road from Georgetown to Cincinnati, reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill as amended, be engrossed and

read a third time.

And thereupon the rule of the house and third reading of said bill being dispensed with, and the same being engrossed:

Resolved, That the said bill do pass, and that the title thereof be amended by adding thereto the words " and for other purposes."

Ordered, That mr. G. Wall carry the said bill to the sen-

ate and request their concurrence.

Mr. B. Johnson from the select committee to whom was referred a bill to incorporate the Burlington library company in this commonwealth, reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill as amended, be engrossed and

read a third time.

And thereupon the rule of the house and third reading of said bill being dispensed with, and the same being engrossed:

Resolved, That the said bill do pass, and that the title thereof be amended to read "an act to incorpor ate the Bur-

lington and Cynthiana library companies."

Ordered, That mr. B. Johnson carry the said bill to the

senate, and request their concurrence.

Mr. Harrison from the select committee to whom was referred a bill to alter the mode of summoning pettit jurors, reported the same without amendment.

Ordered, That the said bill be laid on the table until the

first day of June next.

Mr. Underwood from the select committee to whom was referred a bill to create additional judicial districts, reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill as amended, be engressed and read a third time to morrow.

A message from the senate by mr. Johnson:

Mr. Speaker,

The senate have passed a bill entitled " an act to authorise advertisements to be published in the Southern Gazette."

In which bill they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Barry :

Mr. Speaker,

The senate have passed a bill entitled "an act for the benefit of Asa Blanchard and William Monroe."

In which bill they request the concurrence of this house.

And then he withdrew.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had deposited in the office of the secretary of state for the approbation and signature of the lieutenant governor the enrolled bills signed on this day.

A message from the senate by mr. Wickliff:

Mr. Speaker,

The senate adhere to their disagreement to the fourth, ninth, tenth, eleventh, thirteenth, fourteenth and fifteenth amendments proposed by this house to the bill from the senate entitled "an act to incorporate the Beech fork navigation company."

And then he withdrew.

On motion,

Ordered, That the committee of the whole house on the state of the commonwealth, be discharged from the further consideration of a bill for the appropriation of money.

The said bill was then taken up and amended.

It was then moved and seconded to amend said bill by at-

taching thereto the following section, viz.

Be it further enacted, That there be loaned to the commissioners for finishing the public buildings the sum of twelve hundred dollars; and it shall be the duty of said commissioners to settle their accounts on the first day of December next, and lay a complete statement thereof before each house of the general assembly within the first week of its next session.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Jones and Forrest, were as follows, viz.

Yeas—Mr. Speaker, messrs. Baker, Barbour, Barnett, Baylor, W. O. Butler, Chew, Chinn. Coombs, Crittenden, Dallam, Field, George, Grant, Hardin, Hickman, Howard, Hunter, J. T. Johnson, B. Johnson, Knight, Lockett, Love, J. Logan, B. Logan, M'Kee, M'Closky, Miller, Rennick, Sharp, J. Taylor, Thomas, Todd, G. Wall, W. Wall, T. Ward and J. Ward—37.

Nays—Messrs. Allen, Berry, Booker, Breathitt, Cunningham, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, Gaither, L. Green, J. Green, Hanson, Raynes, Jones, Kennedy, Lee, Mullens, Noland, O'Bannon, Parsons, Pope, Phelps, Prather, Ray, Robinson, Scott, Smith, Z. Taylor, Turner, Underwood, Wickliffe and Worthington—53.

The said bill as amended, was then ordered to be engrossed and read a third time.

A message from the senate by mr. Davidson: Mr. Speaker,

The senate have passed bills of the following titles:

An act to after the time of holding certain circuit courts in the 12th judicial district; and an act prescribing the duties of the clerks of the circuit courts in certain cases.

In which bills they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Davidge:

Mr. Speaker,

The senate have passed a bill which originated in this house entitled "an act to erect the county of Owen out of the counties of Franklin, Scott and Pendleton," with amendments.

In which they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Wickliff:

Mr. Speaker,

The senate have disagreed to a bill from this house entitled " an act to reduce the damages on inland bills of exchange."

And then he withdrew.

A bill from the senate entitled "an act to continue im force an act to suspend law process in certain cases," approved February 6th, 1816, Stall one try and serve

Was read a second time.

It was then moved and seconded to expunge the last clause of the bill consisting of the following words " or notes of the United States' bank or its branches," which is to prevent the indorsment on an execution that said notes would be received in payment thereof.

And the question being taken thereon, it was decided in

the affirmative.

The year and nays being required thereon by messrs.

Sharp and Jones were as follows viz.

Yeas-Messrs. Allen, Baker, Barnett, Barrett, Booker, Breathitt, W. O. Butler. Caldwell, Chew. Chinn, Coombs, Cunningham, Dallam, Dollerhide, Duncan (of Daviess) Field, Gaither, George, L. Green, Hanson, Haynes, Hickman, Hunter, Jones, Kennedy, Lackey, Lee, Lockett, Love, M'Kee, Miller, Mullens, Noland, O'Bannon, Owings, Phelps, Prather, Ray, Robinson, Scott, Sharp, Stratton. Z. Taylor, Thomas, Todd, Turner, Underwood, G. Wall, W. Wall, J. Ward, Wickliffe and Worthington-52.

Nays-Mr. Speaker, messrs. Barbour, Barr, Baylor, Berry, Crittenden, Duncan, (of Lincoln) Forrest, Grant, J. Green, Givens, Jennings, J. Johnston, J. T. Johnson, Knight, J. Logan, B. Kogan, Megowan, Mercer, M'Closky, Morton, Parsons, Pope, Rennick, Smith and J. Taylor

-26.

It was then moved and seconded to insert in lieu of the words to be stricken out the following words, to wit:

Or the paper of any independent bank in this commonwealth, so long as such bank continues to pay specie for its notes.

And the question being taken on agreeing thereto, it was decided in the negative.

The yeas and nays being required thereon by messrs.

J. Green and Booker, were as follows, to wit:

Yeas—Messrs. Booker, Coombs, Field, Forrest, Grant, L. Green, J. T. Johnson, Lee, Megowan, O'Bannon, Owings, Robinson, Sharp, J. Taylor, G. Wall and W. Wall—17.

Nays—Mr. Speaker, messrs. Allen, Baker, Barbour, Barnett, Barr, Barrett, Baylor, Berry, Breathitt, W. O. Butler, Caldwell, Chew, Chinn, Crittenden, Cunningham, Dallam, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Gaither, George, J. Green, Givens, Hanson, Haynes, Hickman, Hunter, Jennings, J. Johnston, Jones, Kennedy, Knight, Lackey, Lockett, Love, J. Logan, B. Logan, Mercer, M'Closky, Miller, Morton, Mullens, Noland, Parsens, Pope, Phelps, Prather, Ray, Rennick, Scott, Smith, Stratton, Z. Taylor, Thomas, Todd, Turner, Underwood, T. Ward, J. Ward, Wickliffe, Williams and Worthington—63.

The question was then taken upon reading the said bill a third time as amended, which was decided in the affirma-

tive.

The yeas and nays being required thereon by messrs.

Sharp and Jones, were as follows, viz.

Yeas—Messrs. Allen, Baker, Barbour, Barrett, Baylor, Berry, Breathitt, Chew, Chinn, Coombs, Dallam, Dollerhide, Duncan (of Daviess) Field, Forrest, George, Grant, J. Green, Givens, Harrison, Haynes, Hickman, Hunter, Jennings, J. T. Johnson, Jones, Knight, Lackey, J. Logan, B. Logan, Megowan, Mercer, M'Closky, Miller, Morton, Mullens, Noland, Owings, Parsons, Prather, Ray, Rennick, Robinson, Smith, Stratton, Z. Taylor, J. Taylor, Thomas, Todd, Turner, G. Wall, W. Wall, T. Ward, Wickliffe and Williams—55.

Nays—Mr. Speaker, messrs. Barnett, Barr, Booker, W. O. Butler Caldwell, Crittenden, Cunningham, Duncan (of Lincoln) Gaither, L. Green, Hanson, Hardin, Howard, Kennedy, Lee, Lockett, Love, O'Bannon, Pope, Phelps, Scott, Sharp, Underwood, J. Ward and Worthington—26.

A message from the senate by mr. Crutcher:

Mr. Speaker,

The senate have passed a bill which originated in this house entitled "an act to amend and continue in force for a longer period the charter of the bank of Kentucky."

And then he withdrew.

Mr. Underwood read and laid on the table the following resolution, viz.

Resolved by the general assembly of the commonwealth of Kentucky, That the resolution to adjourn on Saturday the 6th sine die, be rescinded; and that when they adjourn on the _____ instant, they will adjourn sine die.

A message from the senate by mr. Davidson:

Mr. Speaker.

The senate have passed a bill entitled " an act to amend the militia law."

In which they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Bledsoe:

Mr. Speaker.

The senate have passed a bill which originated in this house entitled "an act appropriating the bonus of the Farmers and Mechanics' Bank of Lexington to the Transylvania University," with an amendment.

In which they request the concurrence of this house.

And then he withdrew.

The said amendment was then taken up, twice read and concurred in.

Ordered. That mr. Barr inform the senate thereof.

The house took up the amendments proposed by the senate upon receding from their disagreement to the amendment proposed by this house to a bill from the senate entitled "an act to amend and reduce into one the several acts authorising changes of venue in civil cases."

Which being twice read, were concurred in.

Ordered, That the clerk inform the senate thereof.

The house took up the amendments proposed by the senate to bills from this house of the following titles:

An act to erect the county of Owen out of the counties of Franklin, Scott and Pendleton; and an act for the relief of Joseph C. Belt.

Which being twice read, were concurred in.

Ordered, That the clerk inform the senate thereof.

A message from the senate by mr. Faulkner:

Mr. Speaker,

The senate have passed a bill which originated in this house entitled "an act to alter and amend the law concerning usury."

And then he withdrew.

A bill authorising the conveyance of certain lands belonging to the heirs of Mary Boyd and Amy Robinson, Was read a second time, and ordered to be engrossed and read a third time.

And thereupon the rule of the house and third reading of said bill being dispensed with, and the same being engrossed:

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered, That mr. J. Logan carry the said bill to the senate and request their concurrence.

A bill from the senate entitled "an act to explain the fees

of sheriffs in certain cases,"

Was read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second and third readings of said bill being dispensed with:

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered, That mr. Duncan inform the senate thereof.

A message from the senate by mr. Lee their secretary:
Mr. Speaker,

The senate have passed bills which originated in this house

of the following titles.

An act concerning the marriage of Milton Gray; an act further to regulate the proceedings of the county court of Fayette; an act for the benefit of the heirs of Henry Garrard, deceased; an act for the benefit of Hetty Hall and others; an act to establish the true line between the counties of Floyd and Greenup; and an act to incorporate the Burlington and Cynthiana library companies, with amendments to the latter bill,

In which they request the concurrence of this house.

And then he withdrew.

The said amendments were then taken up, twice read and concurred in.

Ordered, That mr. W. Wall inform the senate thereof. An engrossed bill entitled "an act for the appropriation of money,"

Was read a third time.

. Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered. That mr. M'Kee carry the said bill to the senate, and request their concurrence.

A message from the lieutenant governor by mr. Wag-

Mr. Speaker,

The lieutenant governor did on this day approve and sign enrolled bills which originated in this house, of the following titles :

An act to declare Great Sandy river a navigable stream : an act authorising the payment of a sum of money due by the commonwealth to John Hunter; an act to authorise William and James Newton to build a dam and water grist and saw mill on Rough creek in Ohio county; an act allowing coroners and elisors pay for certain services; an act giving additional powers to the trustees of the towns of Louisville & Nicholasville ; an act to repeal the act of the 23d January, 1818, relative to Morgantown; an act to amend an act regulating the town of Prestonsburg in Floyd county; an act to authorise the sale of the donation lands of Salem academy; an act for the benefit of John P. Thomas, late treasurer; an act concerning the town of Versailles; an act to establish the town of Bloomfield in Nelson county, and for other purposes; and an act to amend the charter of the bank of Green river.

And then he withdrew.

Ordered, That mr. J. Johnston inform the senate thereof. The following bills were severally read a second time,

viz. 1. A bill concerning the improvement of internal navigation; A bill adding a part of Christian county to the county of Caldwell; 3. A bill to enlarge the powers of the trustees of Augusta in Bracken county; and 4. A bill to amend the law to suppress riots, routs and unlawful assemblies of the people.

The first and third were laid on the table; the first until the first day of June next; and the second and fourth were

ordered to be engrossed and read a third time.

And thereupon the rule of the house and third readings of. said bills being dispensed with, and the same being engros-

Resolved, That the said bills do pass, and that the titles

thereof be as aforesaid.

Ordered, That mr. Mercer carry the second; and mr. Barnett the fourth bills to the senate, and request their con-

And then the house adjourned.

SATURDAY, FEBRUARY 6, 1819.

The Speaker laid before the house a letter from Eleazer Givens, Esq. a member of this house from the county of Hopkins, tendering a resignation of his seat therein; which was read as follows, to wit :

FRANKFORT, February 5th, 1819. SIR-You will please to accept my resignation as a representative from Hopkins county, and accept for yourself and the body over which you preside, my profound respect.

I am, sir, your most obedient servant,

ELEAZER GIVENS.

The Honorable Joseph C. Breckinridge, Speaker of the House of Representatives.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of

the following titles:

An act to amend an act entitled " an act for the relief of Peter Sibert;" an act to amend an act entitled "an act to amend an act incorporating the Lexington and Louisville turnpike road company;" an act to amend and continue in force for a longer period the charter of the bank of Kentucky; an act appropriating the bonus of the Farmers and Mechanics' Bank of Lexington to the Transylvania University for two years; an act to erect the county of Owen out of the counties of Franklin, Scott, Gallatin and Pendleton; an act for the relief of Elizabeth Armstrong; an act to authorise certain county courts to appoint port wardens, and prescribing their duties; an act to explain the fees of sheriffs in certain cases; an act to amend and reduce into one the several acts authorising changes of venue in civil cases ; an act to regulate the practice of the general court in certain cases; and an act to crect election precincts in Estill and Henderson counties.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto. Ordered. That mr. Johnston inform the senate thereof. A message from the senate by mr. Bledsoe :

Mr. Speaker,

The senate have passed a bill from this house entitled "an act establishing a turnpike on the road leading from Georgetown to Cincinnati, and for other purposes."

And then he withdrew.

A message from the senate by mr. Givens:

Mr. Speaker,

The senate have passed a bill from this house entitled an act adding part of Christian county to the county of Caldwell."

And then he withdrew.

A message from the senate by mr. Jones:

Mr. Speaker,

The senate have passed a bill which originated in this house entitled "an act to amend the law to suppress riots; routs and unlawful assemblies of the people."

And then he withdrew.

Mr. Hardin from the committee of conference on a bill entitled " an act to amend the laws establishing Independent banks in this commonwealth, made the following report,

The committees of free conference from the two houses relto wit: ative to the disagreeing votes between the two houses on the bill entitled " an act to amend the laws incorporating independent banks," have agreed to recommend the following course:

That the house of representatives agree to the first amend-

ment made by the senate.

That they agree to the second amendment with an amendment prepared and in the hands of the committee of the house of representatives.

That they insist upon their amendment striking out the

tenth section in the amendment made by the senate. That they recede from their amendment adding two sec-

tions to the senate amendments.

And the question being taken on curring in the said report,

it was decided in the affirmative.

The yeas and mays being required thereon by messrs.

Howard and Baylor, were as follows. viz.

Yeas-Mr. Speaker, messrs. Allen, Baker, Barbour, Barr, Baylor, Berry, Booker. W. O. Butler, A. Butler, Chinn, Crittenden, Cunningham, Dallam, Duncan (of Daviess) Duncan (of Lincoln) Field, Forrest, L. Green, J. Green, Hardin, Harrison, Hickman, Hunter, Knight, J. Logan, B. Logan, Mercer, M'Kee, M'Closky, Miller, Morton, Persons, Rennick, Robinson, Stratton, Z. Taylor Todd, Wickliffe and Worthington-40.

Nays-Messrs. Barnett, Breathitt, Caldwell, Chew, Coombs, Davis, Gaither, George, Grant, Hanson, Howard, Jennings, J. Johnston, J. T. Johnson, Jones, Kennedy,

Lockett, Love. M'Millan, Mullens, Noland, O'Bannon, Owings, Phelps, Prather, Ray, Scott, Sharp, Smith, J. Taylor, Thomas, Turner, Underwood, G. Wall, W. Wall, T. Ward and J. Ward—38.

Ordered, That mr. Hardin inform the senate thereof, and request their concurrence in the proposed amendments.

An engrossed bill entitled "an act to create additional judicial districts," was read a third time as follows to wit:

§ 1. Be it enacted by the general assembly of the common-wealth of Kentucky, That there shall be two additional judicial districts in this commonwealth, to be denominated the 13th and 14th judicial districts.

§ 2. Be it further enacted, That the counties of Clay, Harlan, Knox, Whitley, Rockcastle and Palaski, shall compose

the 13th judicial district.

§ 3. Be it further cuacted, That the counties of Daviess, Breckinridge, Grayson, Chio and Hardin, shall compose the 14th judicial district.

§ 4. Be it further enacted, That the counties of Logan, Simpson and Butler, shall be, and the same are hereby attached to the 7th judicial district.

§ 5. Beit further enacted, That the county of Warren shall

be, and is hereby attached to the 8th judicial district.

§ 6. Be it further enacted, 'That the counties of Adair and Green, shall be, and they are hereby attached to the 12th judicial district.

§ 7. Be it further enacted, That the county of Hopkins, shall be, and the same is hereby attached to the 7th julicial

district.

And the question being taken on the passage of the said bill, it was decided in the negative, and so the said bill was rejected.

The year and nays being required thereon by messrs.

Breathitt and A. Butler, were as follows viz.

Yeas—Messrs. Barbour, Barr, W. O. Butler, A. Butler, Caldwell, Chew. Coombs, Crittenden, Cunningham, Duncan (of Daviess) J. Green, Hardin, Harrison, Howard, J. Johnston, J. T. Johnson, B. Johnson, Knight, Lockett, Love, J. Logan, B. Logan, M'Kee, Miller, Parsons, Pope, Rennick, Smith, Turner, Underwood and Worthington—31.

Nays—Messrs. Allen, Baker. Barnett, Rooker, Breathitt, Davis, Dollerhide, Forrest, Gaither, Grant, L. Green, Hanson, Hunter, Jennings, Kennedy, Mercer, M'Millan, Mullens, Noland, O'Bannon. Phelps, Prather, Ray, Robinson.

Scott, Z. Taylor, J. Taylor, G. Wall, W. Wall, T. Ward, J. Ward, Wickliffe and Williams-33.

A bill from the senate entitled "an act to continue in force an act to suspend law process in certain cases,"

Was read a third time as amended.

Resolved, That the said bill as amended, do pass, and that the title thereof be as aforesaid.

Ordered, That mr. Jones inform the senate thereof, and re-

quest their encurrence in the amendment thereto.

A bill to amend an act authorising county courts to discontinue public roads, approved February 3d, 1818, was

read a second time as follows, to wit:

§ 1. BE it enacted by the general assembly of the commonwealth of Kentucky, That the county courts in this commonwealth shall have power and authority to discontinue any established road within their county, if by them it shall be deemed proper: Provided, however, that no road shall be discontinued unless a majority of all the justices of the peace in said county are present and concur in opinion.

§ 2. Be it further enacted, That no public road shall hereafter be discontinued, unless notice of the intended motion be fixed up publicly on the door of the court-house one court day next preceding the court at which the motion is made; which notice shall describe distinctly the road intended to be discontinued; and proof of such notice shall be made to

such court before they proceed to act.

§ 3. Be it further enacted, That all motions for the discontinuance of any public road, shall be made by some one or more residing near said road, whose land the road runs through.

It was then moved and seconded to lay the said bill on

the table until the first day of May next.

And the question being taken thereon, it was decided in the affirmative.

The year and nays being required thereon by messrs.

L. Green and J. T. Johnson, were as follows, viz.

Yeas—Messrs. Baker, Barbour, Barnett, Berry, Booker, Breathitt, Caldwell, Chew, Dallam, Duncan (of Daviess) Duncan (of Lincoln) Field, Forrest, Grant, J. T. Johnson, B. Johnson, Jones, Kennedy, Lee, Lockett, Love, J. Logan, B. Logan, Megowan, Mercer, M'Kee, M'Millan, Miller, Mullens, Noland, Owings, Phelps, Prather, Ray, Rennick, Scott, Smith, J. Taylor, Turner, G. Wall, W. Wall, T. Ward and J. Ward—48.

Nays—Messrs. Baylor, Coombs, Dollerhide, Gaither, L. Green, J. Green, Harrison, Haynes, Hickman, Jennings, J. Johnston, Lackey, M'Closky, O'Bannon, Z. Taylor, Thomas, Todd and Worthington—18:

The following bills were severally read a second time,

viz.

1. A bill requiring the notes of the several independent banks to be received in payment of revenue tax and county levy, on certain conditions; 2. A bill for the relief of William Dunning; and 3. A bill further to regulate the disposition of the records of the supreme court of the district of Kentucky.

The first was laid on the table; and the second and third (the second being amended) were ordered to be engrossed

and read a third time.

And thereupon the rule of the house and second and third readings of said bills being dispensed with, and the same be-

ing engrossed :

Resolved, That the said bills do pass; that the title of the second bill be amended to read "an act for the relief of William Dunning and Elizabeth Nall," and that of the latter be as aforesaid.

Ordered, That mr. T. Ward carry the said bills to the sen-

ate, and request their concurrence.

A bill further to regulate billiard tables and tippling houses, was read a second time, amended and ordered to be engrossed and read a third time.

A message from the senate by mr. Fleming:

Mr. Speaker,

The senate concur in the amendment proposed by this house upon concurring in the second amendment proposed by the senate to a bill from this house entitled "an act to amend the laws incorporating independent banks."

And then he withdrew.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of

the following titles:

An act to amend the law to suppress riots, routs and unlawful assemblies of the people; an act for the relief of Jeseph C. Belt; an act to alter and amend the law concerning usury; an act for the benefit of Bethel and Bourbon academies; an act concerning the marriage of Milton Gray; an act adding part of Christian county to the county of Caldwell; an act further to regulate the proceedings of the county court of Fayette; an act for the benefit of the heirs of

Henry Garrard, deceased; an act to establish the true line between the counties of Floyd and Greenup; and an act for the benefit of Hetty Hall and others.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Johnston inform the senate thereof.

Mr. Johnston from the same committee after a short time reported that the bills signed on this day by the speakers of the respective houses had been deposited on this day in the secretary's office for the approbation and signature of the lieutenant governor.

A bill from the senate entitled "an act providing for a change of venue in the case of Francis and Sandifur Petty," Was read the first time, and ordered to be read a second

time.

And thereupon the rule of the house and second reading of said bill being dispensed with, the same was amended and ordered to be read a third time.

And thereupon the rule of the house and third reading of said bill being dispensed with:

Resolved, That said bill as amended, do pass.

Ordered, That mr. Scott inform the senate thereof, and request their concurrence in the said amendments.

A bill from the senate entitled "an act providing for a change of venue in the case of David H. Campbell,"

Was read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second reading of said bill was dispensed with, and the same was amended.

A message from the senate by mr. Bledsoe: Mr. Speaker,

The senate have adopted a resolution for printing and distributing the laws and journals of the present session:

In which they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Yancey:

Mr. Speaker.

The senate have passed a bill which originated in this house entitled "an act to run the boundary line between this state and the state of Tennessee, west of the Tennessee river. And they concur in the amendments proposed by this house to the bill from that entitled "an act to continue in force an act to suspend law process in certain cases,"

And then he withdrew.

A message from the senate by mr. Ford : .

Mr. Speaker,

The senate have passed a bill which originated in this house entitled "an act authorising the conveyance of certain lands belonging to the heirs of Mary Boyd and Amy Robinson."

And then he withdrew.

A message from the senate by mr. Givens :

Mr. Speaker,

The senate have passed a bill which originated in this house entitled " an act for the relief of William Dunning and Elizabeth Nall."

And then he withdrew.

It was then moved and seconded to take up a resolution laid on the table on yesterday by mr. Underwood, for rescinding the resolution fixing on a day for an adjournment of the legislature sine die, and fixing on another day for that purpose.

And the question being taken on taking up the said reso-

lution, it was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Rennick and Booker, were as follows, to wit:

Yeas—Mr. Speaker, messrs. Barbour, Barr, Baylor, Breathitt, W. O. Butler, A. Butler, Caldwell, Chew, Chinn, Coombs, Crittenden, Dallam, Davis, Duncan (of Daviess) George, J. Green, Hanson, Hardin, Harrison, Hickman, Jennings, J. Johnston, J. T. Johnson, Knight, Lockett, Love, B. Logan, Megowan, Mercer, M'Closky, M'Millan, Miller, Mullens, Noland, Parsons, Pope, Phelps, Ray, Rennick, Smith, J. Taylor, Underwood, G. Wali, T. Ward and J. Ward—46.

Nays—Messrs. Allen, Barnett, Barrett, Berry, Booker, Cunningham, Dollerhide, Duncan (of Lincoln) Field, Forrest, Grant, L. Green, Howard, Hunter, B. Johnson, Jones, Kennedy, Lackey, Lee, J. Logan, M'Kee, O'Bannon, Owings, Prather, Robinson, Scott, Sharp, Stratton, Z. Taylor, Thomas, Todd, Turner, W. Wall, Wickliffe, Williams and

Worthington-36.

The said resolution was then twice read.

It was then moved and seconded to fill the blank in the said resolution as the period at which the legislature should adjourn sine die, with Saturday the 13th instant.

And the question being taken thereon, it was decided in

the negative.

The yeas and nays being required thereon by messrs. Booker and Caldwell, were as follows, viz.

Yeas-Messrs. Booker, M'Kee, Prather and Williams

Nays—Mr. Speaker, messrs. Allen, Barbour, Barnett, Barr, Baylor, Berry, Breathitt, W. O. Butler, A. Butler, Caldwell, Carter, Chew, Chinn, Coombs, Crittenden, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Field, Forrest, George, Grant, L. Green, J. Green, Hanson, Hardin, Harrison, Howard, Hunter, Jennings, J. Johnston, J. T. Johnson, B. Johnson, Jones, Kennedy, Knight, Lackey, Lee, Lockett, Love, J. Logan, B. Logan, Megowan, Mercer, M'Closky, M'Millan, Miller, Mullens, Noland, O'Bannon, Owings, Parsons, Pope, Phelps, Ray, Rennick, Robinson, Scott, Sharp, Smith, Stratton, Z. Taylor, J. Taylor, Thomas, Todd, Turner, Underwood, G. Wall, W. Wall, T. Ward, J. Ward and Worthington—76.

The said blank was then filled with Wednesday the 10th

instant.

The question was then put on adopting the said resolution, which was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Prather and Booker, were as follows, viz.

Yeas—Mr. Speaker, messrs. Barbour, Barr, Baylor, W. O. Butler, A. Butler, Carter, Chew, Coombs, Crittenden, Dallam, Duncan (of Daviess) George, J. Green, Hanson, Harrison, Hickman, Jennings, J. Johnston, J. T. Johnson, Knight, Lockett, B. Logan, Mercer, M'Millan, Miller, Mullens, Parsons, Pope, Phelps, Ray, Rennick, Smith, Stratton, J. Taylor, Underwood, G. Wall, W. Wall, T. Ward and J. Ward—40.

Nays—Messrs. Allen, Barnett, Berry, Booker, Breathitt, Caldwell, Cunningham, Davis, Dollerhide, Duncan (of Lincoln) Field, Forrest, Grant, L. Green, Hardin, Howard, Hunter, B. Johnson, Jones, Kennedy, Lee, J. Logan, M'-Kee, Noland, O'Bannon, Owings, Prather, Robinson, Scott, Sharp, Z. Taylor, Thomas, Todd, Turner, Wickliffe, Williams and Worthington—57.

Ordered, That mr. Underwood carry the same to the sen-

ate, and request their concurrence.

A message from the lieutenant governor by mr. Waggener: Mr. Speaker,

The lieutenant governor did on this day approve and sign enrolled bills which originated in this house, of the following

An act to amend an act entitled "an act for the relief of Peter Sibert ;" an act to amend an act entitled " an act incorporating the Lexington and Louisville turnpike road companies;" an act appropriating the bonus of the Farmers and Mechanics' Bank of Lexington to the Transylvania University for two years; an act to amend and continue in force for a longer period the charter of the bank of Kentucky; an act to erect the county of Owen out of the counties of Franklin, Scott, Gallatin and Pendleton; an act for the benefit of the heirs of Henry Garrard, deceased; an act further to regulate the proceedings of the county court of Fayette; an act to establish the true line between the counties of Floyd and Greenup; an act to alter and amend the law concerning usury; an act concerning the marriage of Milton Gray; an act for the benefit of Hetty Hall and others; an act for the relief of Joseph C. Belt; an act for the benefit of Bethel and Bourbon academies; an act to amend the law to suppress riots, routs and unlawful assemblies of the people; an act adding part of Christian county to the county of Caldwell.

And then he withdrew.

Ordered, That mr. J. Johnston inform the senate thereof.

A message from the senate by mr. Johnson:

Mr. Speaker,

The senate concur in a resolution from this house rescinding the resolution for an adjournment of the general assembly, and fixing on a day for an adjournment sine die.

And then he withdrew.

And then the house adjourned.

MONDAY, FEBRUARY, 8, 1819.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of

the following titles:

An act to continue in force an act to suspend law processs in certain cases; an act to run the boundary line between this state and the state of Tennessee west of the Tennessee river; an act to incorporate the Burlington and Cynthiana library companies; an act establishing a turnpike on the

road leading from Georgetown to Cincinnati, and for other purposes; and an act to amend the law incorporating independent banks.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Johnston inform the senate thereof.

A message from the senate by mr. Yancey:

Mr. Speaker,

The senate have passed a bill which originated in this house entitled "an act further to regulate the disposition of the records of the supreme court for the district of Kentucky.

And then he withdrew.

Mr. Parsons moved for leave to bring in a bill to establish one additional judicial district in this commonwealth.

And the question being taken on granting leave to bring

in said bill, it was decided in the affirmative.

The year and nays being required thereon by messrs.

L. Green and Parsons, were as follows, viz.

Yeas—Mr. Speaker, messrs. Barbour, Barnett, Baylor, Booker, Breathitt, W. O. Butler, A. Butler, Caldwell, Chew, Cunningham, Dallam, Duncan (of Lincoln) J. Green, Hanson, Hardin, Howard, Hunter, J. Johnston, J. T. Johnson, Jones. Kennedy, Knight, Lee, Lockett, B. Logan, Megowan, M'Kee, Parsons, Pope, Phelps, Ray, Scott, Smith, J. Taylor, Todd, Turner, Underwood, J. Ward, Williams and Worthington—41.

Nays—Messrs. Allen. Berry, Carter, Coombs, Crittenden. Davis, Dollerhide, Duncan (of Daviess) Forrest, Grant, L. Green, Hickman, Jenaings, Mercer, M'Closky. M'Millan, Miller, Mullens, Noland, Owings, Prather, Robinson,

Z. Taylor, Thomas and Wickliffe-25.

Mr. Parsons with the leave of the house then reported a bill under the title aforesaid.

Which was received and read the first time, and ordered to be read a second time.

On the motion of mr. Todd,

Ordered, That leave be given to bring in a bill supplemental to an actestablishing the county of Owen.

Whereupon with the leave of the house, mr. Todd reported a bill under the title aforesaid.

Which was received and read the first time, and ordered

to be read a second time.

And thereupon the rule of the house and second and third readings of said bill being dispensed with, and the same be-

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That mr. Todd carry the said bill to the senate,

and request their concurrence.

Mr. Todd presented the report of Richard Taylor, one of the commissioners appointed under the act for the improvement of internal navigation; which was received and read as follows, viz.

To the honorable the Legislature of Kentucky.

The report of Richard Taylor, commissioner for that part of the Kentucky river which lies within the counties of Franklin, Gallatin and Henry, respectfully reports: That the undersigned commenced his improvement of the navigation of said river at Essex island, by removing obstructions, &c &c. That the plan of improvement adopted by him has been by erecting brush-dams in the form of wing-dams, thereby narrowing and deepening it at low water, and removing logs, rocks, &c. from which system much benefit he believes will result to the navigator in low water; he also believes much benefit will result from what has been done; and he also further believes improvements of the same kind may be extended to great advantage.

The undersigned deemed it necessary to employ his hands by the day instead of the month, because if employed for any longer period of time, from the frequent rises in the Kentucky river, or a reflux of back-water from the Ohio river,

considerable loss might and would have accrued.

The undersigned has been prevented from the accumulated, unforseen, important other business, from making settlements with the county courts within the time prescribed by law; and respectfully prays that the courts may be authorised to make a settlement with him at some future period, or that some other mode may be adopted by your honorable body.

The undersigned was prevented from making a settlement with the courts of the several counties before the legislature met, because his hands were at work at the several ripples between Frankfort and the mouth of the river all the fall;

nor was the work finished before the 1st December.

The undersigned will state that the commissioners appointed to this river laid it off into districts, and assigned to him that part from Frankfort to the mouth. He also states that he has received a check upon the treasury for only \$2,333 331-3 cents; and that he has expended as per account herewith rendered, \$2,215 67 cents.

The undersigned would offer as a further reason why he could not settle his accounts with the courts, that he had made contracts with individuals for removing obstructions opposite the Clay lick and at other places which have not

vet been complied with.

That each of the commissioners drew on the treasury individually for their third part of the monies appropriated for this river, or so much thereof as they deemed competent to meet the expenditures they incurred: That the undersigned only drew for the aforesaid § 2,333 331-3 cents, which was not the full amount of a third part of the money appropriated for improving the navigation of this river; and that the balance in his hands will probably meet the contracts above alluded to, and not yet complied with.

Abstract of monies laid out and expended from July, 1818, to November, 1818, both months inclusive, by Richard Taylor, commissioner for the Kentucky River within the counties of

Franklin, Gallatin and Henry.		
	54	00
To do. paid Levi Craig, as per do. 2	15	00
To do. paid John W. Buckner, as per do. 2	53	00
To do. paid Elijah Clarke for boat for use of hands	75	00
To do. paid Carter Blanton for do. as per do. 4	25	00
To do. paid Benjamin Rawson,	65	00
	50	00
	71	531
To do. paid William Sanders, as per do.	26	00
	20	00
To do. paid E. M. Loe,	1	27
To do. paid Ezra Richmond for cables,	57	87
To am't. provisions furnished hands by R. T. com'r. 1	35	00
To cash paid by Alex'r. Rennick, Esq. to hands at		
island at Frankfort,	38	50
To R. Taylor for fifty days personal services at		
	25	00
To 2 days making out and preparing accounts at		
\$2 50 cents per day,	5	00
To John Harper's account as per do. and receipt,	33	50
To a cross-cut saw and sledge-hammer furnished by		
R. Taylor,	15	00
		1986
	4	CHT

A message from the senate by mr. Owens :

Mr. Speaker,

The senate disagree to the amendments proposed by this house to the bill from that entitled "an act to provide for a change of venue in the case of Francis and Sandifur Petty."

And then he withdrew.

A message from the senate by mr. Harrison:

Mr. Speaker,

The senate disagree to a bill which originated in this house entitled "an act to amend the act establishing a turnpike on the road leading from the mouth of Big Sandy through the counties of Greenup and Lewis in a direction to Flemingsburg, to Joseph Watkins', approved January 31st, 1818."

And then he withdrew.

A message from the senate by mr. Davidge:

Mr. Speaker,

The senate have passed a bill which originated in this house entitled "an act authorising suits against heirs and devisees in certain cases, and limiting the time of bringing suits against executors and administrators."

And then he withdrew.

A bill from the senate entitled an act providing for a change of venue in the case of David H. Campbell, was amended, and ordered to be read a third time.

And thereupon the rule of the house and third reading of

said bill being dispensed with:

Resolved, That the said bill as amended, do pass, and that the title thereof be as aforesaid.

Ordered, That mr. Pope inform the senate thereof, and

request their concurrence in said amendments.

Ordered, That a resolution from the senate concerning the United States' branch banks in this state, be referred to the committee appointed on so much of the lieutenant governor's message as relates to that subject.

A message from the senate by mr. Yancey :

Mr. Speaker,

The senate have passed a bill from this house entitled "an act for the appropriation of money," with amendments; in which they request the concurrence of this house.

And they concur in the amendments proposed by this house to the bill from the senate entitled " an act providing for a change of venue in the case of David H. Campbell."

And then he withdrew.

A message from the senate by mr. Churchill :

Mr. Speaker,

The senate have passed a bill which originated in this house entitled an act to regulate the fees of the justices of the peace of this commonwealth," with amendments:

In which they request the concurrence of this house.

And then he withdrew.

The following bills from the senate were read the first

time, viz.

1. An act authorising the county court of Pulaski to make additions to the town of Somerset; 2. An act to amend the act entitled " an act respecting the conveyance, and also the division of the real estate of William Kennedy, Benjamin Beall and Jennette H. Beall, late of the county of Campbell: 3. An act to change the time of meeting of the general assembly; 4. An act for the benefit of Union academy; 5. An act establishing certain inspections; 6. An act for the relief of the administrators of Reuben Underwood and the heirs of Spencer Gill, deceased; 7. An act for the benefit of Margaret Swim; 8. An act for the benefit of Patty Bohannon; 9. An act authorising a lottery for the purpose of paving the streets of Middletown and completing the Hope academy therein: 10. An act for the benefit of the heirs of Christopher Hardwick; 11. An act to incorporate the Lexington Athenæum; 12. An act to incorporate the Southern College of Kentucky; 13. An act further to regulate the town of Germantown in the counties of Mason and Bracken; 14. An act authorising the Mercer county court to dispose of part of their public ground; 15. An act to authorise the trustees of the presbyterian meeting-house and lot in Paris to sell the same; 16. An act for the benefit of Samuel May; 17. An act for the benefit of James Sammons; 18. An act establishing an academy in the county of Livingston; 19. An act for the benefit of the sheriff of Hardin county; 20. An act providing for the navigation of Pondriver; 21. An act for the benefit of the heirs of James Hughes, deceased; 22. An act authorising an addition to the town of Burksville; 23. An act establishing an election precinct in Bourbon county : 24. An act establishing and regulating certain towns in this commonwealth; 25. An act for the benefit of the heirs of John Marshall and others; 26. An act authorising the county court of Muhlenberg to dispose of part of their public ground; 27. An act for the benefit of James Williams; 28. An act for opening a road from Danville to the Tennessee line; 29. An act directing the clerk of Mason county to transcribe a certain record book; 30. An act to incorporate the Eddyville steam-mill company; 31. An act curtailing the limits of the town of Mountsterling; 32. An act altering the terms of the circuit courts of Bath, Floyd and Greenup counties; 33. An act to amend an act entitled "an act to amend an act concerning occupying claimants of land;" 34. An act to authorise the county court of Nelson to build a permanent bridge across Saltriver; 35. An act for the benefit of Rebecca Gill; 36. An act to extend the limits of the town of Perryville; 37. An act for the benefit of Catherine Amis, Agness Snider, Rebecca Mitchell and John Hole; 38. An act providing for the collection of part of the revenue due from Fayette county for the year 1817; 39. An act authorising certain lotteries; 40. An act for the benefit of Lawrence Flourney; 41. An act to amend an act entitled "an act to incorporate the Fayette and Madison turnpike companies, and for other purposes; and 42. An act concerning the Kentucky Seminary.

The 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 23d, 24th, 25th, 26th, 27th, 29th, 30th, 32d, 33d, 35th, 36th, 37th, 38th, 41st and 42d, were severally ordered to be read a second time: And the 14th, 22d, 28th, 31st, 34th, 39th and

40th, laid on the table until the 1st day of June next.

And thereupon the rule of the house and second readings of the former bills being dispensed with, the 1st, 2d, 4th, 6th, 7th, 8th, 10th, 14th, 12th, 13th, 16th, 17th, 18th, 19th, 20th, 21st, 23d, 24th, 26th, 27th, 29th, 30th, 32d, 35th, 36th, 37th, & 41st, (the 7th, 12th, 19th, 21st, 23d, 32d and 35th, having been severally amended at the clerk's table) were severally ordered to be read a third time; the 41st on to-morrow; the fifth was committed to a select committee of messrs. M'Kee, Howard, Kennedy, M'Millan and Barr; the 15th to a select committee of messrs. Baylor, Hickman and Chinn; the 25th to a select committee of messrs. Hardin, Knight, Barr, Thomas and Owings; the 33d to a select committee of messrs. Hardin, M'Kee, Underwood and J. Taylor; the 38th to a select committee of messrs. Baylor, M'Millan, Barr, Crittenden, Sharp, Booker, M'Kee and J. Logan.

And thereupon the rule of the house and third reading of the 1st, 2d, 4th, 6th, 8th, 10th, 11th, 12th, 13th, 16th, 17th, 18th, 19th, 20th, 21st, 23d, 24th, 26th, 27th, 29th, 30th 32d, 35th, 36th, and 87th bills being dispensed with:

Resolved, That the said bills do pass, (the 7th, 12th, 19th,

21st, 23d, 32d and 35th as amended.)

Ordered, That the clerk inform the senate thereof, and re-

quest their concurrence in the said amendments.

And the rule of the house and third reading of the 7th bill as amended, being dispensed with, the question was taken on the passage thereof, which was decided in the affirmative.

The yeas and nays being required thereon by messrs.

Barr and Smith, were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Baylor, Berry, Booker, Breathitt, A. Butler, Caldwell, Carter, Chew, Coombs, Crittenden, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, Grant, L. Green, Hardin, Hunter, Jennings, J. Johnston, J. T. Johnson, Jones, Kennedy, Knight, Lockett, B. Logan, Megowan, Mercer, M'Kee, M'Closky, Miller, Mullens, Noland, O'Bannon, Owings, Parsons, Prather, Ray, Rennick, Robinson, Scott, Sharp, Smith, Z. Taylor, Thomas, Todd, Turner, Underwood, T. Ward, J. Ward, Wickliffe and Williams—57.

Nays—Messrs. Barbour, Barr, W. Butler, J. Green, Hanson, Howard, M'Millan, J. Taylor and Worthington—9.

Ordered, That the clerk inform the senate thereof, and request their concurrence in the amendments proposed to said hill.

A motion was made to lay the 42d bill on the table until

the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by messrs.

Smith and Berry, were as follows, viz.

Yeas—Messrs. Allen, Berry, Caldwell, Coombs, Crittenden, Cunningham, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, Grant, L. Green, J. Green, Jennings, J. Johnston, Jones, Lockett, M'Closky, Mullens, O'Bannon, Parsons, Phelps, Prather, Robinson, Smith, Z. Taylor, Thomas, Underwood and Worthington—30.

Nays—Mr. Speaker, messrs. Barnett, Barr, Baylor, Breathitt, Carter, Chinn, Dallam, Field, Hardin, Hickman, Howard, Hunter, J. T. Johnson, B. Johnson, Kennedy, Lackey, J. Logan, Megowan, M'Kee, Miller, Noland, Pope, Rennick, Scott, Sharp, Todd, Turner, J. Ward and Williams

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had deposited in the the secretary's office for the approbation and signature of the lieutenant governor, the enrolled bills signed on this day.

A message from the senate by mr. Givens :

Mr. Speaker,

The senate concur in the amendments made by this house to a bill from the senate entitled "an act for the benefit of Margaret Swim."

And then he withdrew.

A message from the senate by mr. Barry :

Mr. Speaker,

The senate request leave to withdraw their report disagreeing to a bill from this house entitled " an act concerning certain offences committed by slaves, and giving the circuit courts jurisdiction for the trial of slaves for capital offences."

And then he withdrew.

Ordered, That leave be given to withdraw said report, and that mr. Harrison inform the senate thereof.

A message from the senate by mr. Jones:

Mr. Speaker,

The senate have passed a bill from this house entitled "an act supplemental to the act establishing the county of Owen." And they have passed a bill entitled "an act to suspend the operation of an act for the improvement of internal navigation:"

In which bill they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Yancey:

Mr. Speaker,

The senate concur in the amendments made by this house to a bill from the senate entitled "an act to incorporate the southern college of Kentucky."

And then he withdrew.

A message from the senate by mr. Wilson:

Mr. Speaker,

The senate have passed a bill entitled "an act to extend in part the act for appropriating the vacant lands," approved January 9th, 1818:

In which bill they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Barry:

Mr. Speaker,

The senate concur in the amendments made by this house to a bill from that entitled "an act for the benefit of the heirs of James Hughes, deceased." And they have passed a bill from this house entitled "an act concerning certain offences committed by slaves, and giving the circuit courts jurisdiction for the trial of slaves for capital offences," with amendments:

In which amendments they request the concurrence of this house.

And then he withdrew.

A message from the senate by mr. Crutcher :

Mr. Speaker,

The senate concur in the amendments made by this house to a bill from that entitled " an act for the benefit of the sheriff of Hardin county."

And then he withdrew.

A message from the senate by mr. Bledsoe:

Mr. Speaker,

The senate disagree to the amendments made by this house to a bill from the senate entitled "an act establishing an election precinct in Bourbon county."

And then he withdrew.

A message from the senate by mr. Barry:

Mr. Speaker,

The senate have passed a bill entitled "an act to increase the pay of the members of the general assembly:"

In which bill they request the concurrence of this house.

And then he withdrew.

A message from the lieutenant governor by mr. Wag-

Mr. Speaker,

The lieutenant governor did on this day approve and sign enrolled bills which originated in this house, of the following titles:

An act to incorporate the Burlington and Cynthiana library companies; an act to amend the laws incorporating independent banks, and for other purposes; an act to run the boundary line between this state and the state of Tennessee, west of the Tennessee river; and an act establishing a turnpike on the road leading from Georgetown to Cincinnati, and for other purposes.

And then he withdrew.

And then the house adjourned.

TUESDAY, FEBRUARY 9, 1819.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of the following titles:

An act supplemental to the act establishing the county of Owen; an act for the benefit of William Dunning and Elizabeth Nall; an act further to regulate the disposition of the records of the supreme court for the district of Kentucky; an act authorising snits against heirs and devisees in certain cases, and limiting the time of bringing suits against executors and administrators; an act authorising the conveyance of certain lands belonging to the heirs of Mary Boyd and Amy Robinson; an act authorising the county court of Muhlenberg to dispose of part of their public ground; an act to incorporate the southern college of Kentucky, the college of Urania and the western college of Kentucky; an act for the benefit of James Sammons; an act directing the clerk of Mason county to transcribe a certain record book; an act for the benefit of Margaret Swim and Jane Berry; an act establishing an academy in the county of Livingston; an act for the benefit of Samuel May : an act for the benefit of the sheriff of Hardin county, and for other purposes; an act for the benefit of the infant heirs of James Hughes and Moses Hawkins, deceased; an act further to regulate the town of Germantown in the counties of Mason and Bracken; an act to incorporate the Lexington Athanæum; an act for the benefit of James Williams; an act for the benefit of the heirs of Choistopher Hardwick; an act providing for the navigation of Pond river; and an act for the relief of the administrators of Reuben Underwood, and the heirs of Spencer

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered. That mr. Johnston inform the senate thereof.

Mr. Baylor from the committee to whom was referred a
bill from the senate entitled "an act providing for the collection of part of the revenue due from Fayette county for
the year 1817. "reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, Toat said bill be read a third time as amended.

And thereupon the rule of the house and third reading of the said hill being dispensed with:

Resolved, That the said bill do pass, and that the title thereof be amended to read "an act supplemental to an act altering the mode of taking in lists of taxable property."

Ordered, That mr. Baylor inform the senate thereof, and request their concurrence in the said amendments.

A message from the senate by mr. Bledsoe:

Mr. Speaker,

The senate concur in the amendments proposed by this

house to bills from that of the following titles:

An act altering the terms of the circuit courts of Bath, Floyd and Greenup counties; an act for the benefit of Rebecca Gill; and an act providing for the collection of part of the revenue due from Fayette county for the year 1817, with amendments to those proposed to the latter bill:

In which they request the concurrence of this house.

And then he withdrew.

Mr. M'Kee from the select committee to whom was referred a bill from the senate entitled "an act establishing certain inspections," reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill as amended, be read a third time.

And thereupon the rule of the house and third reading of

the said bill being dispensed with :

Resolved, That the said bill do pass, and that the title thereof be amended to read " an act to prohibit inspectors of tobacco from dealing in articles inspected by them."

Ordered, That mr. Rennick inform the senate thereof, and

request their concurrence in the said amendments.

On the motion of mr. M'Kee,

Ordered, That the vote by which a bill from the senate entitled "an act for the benefit of Lawrence Flournoy," was rejected, be re-considered.

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered, That mr. M'Kee inform the senate thereof.

The house took up the amendments proposed by the senate upon concurring in the amendments proposed by this house to a bill from the senate entitled "an act providing for the collection of part of the revenue due from Fayette county for the year 1817."

Which were twice read and concurred in.

Ordered, That mr. Baylor inform the senate thereof.

Mr. Hardin from the select committee to whom was referred a bill from the senate entitled "an act to amend an act entitled an act to amend an act concerning occupying claimants of land," reported the same with amendments.

Which being twice read, were concurred in.

And the said bill ordered to be read a third time as amended.

And thereupon the rule of the house and third reading of the said bill being dispensed with:

Resolved, That the said bill as amended, do]

Ordered, That mr. Rennick inform the senate thereof.

Mr. Todd from the joint committee appointed to examine the penitentiary house, and the books and accounts of the agent thereof, made the following report, to wit:

The committee appointed by the general assembly of Kentucky, to inquire into the condition and report the state of the accounts of the penitentiary of this commonwealth, beg

leave to report:

That in the discharge of that duty, the chairman of the committee addressed to the agent of that institution the fol-

lowing letter:

The committee appointed by the general assembly of the commonwealth of Kentucky, to inquire into the condition and report the state of the accounts of the penitentiary, request the agent for the same to furnish the committee with a statement of the result of the general accounts of said institution, noting the result of each year from its commencement to the close of last year's account: Noting therein the average number of convicts in each year; the expence of keeping them; the quantity or value of raw materials of each year; the amount of money drawn from the treasury in each year; the general result of credit and debit to the state in each year; the amount of costs for buildings, &c. of the establishment.

J. BLEDSOE, Chairman.

January 26th, 1819.

And received from him in answer thereto the following:

PENITENTIARY AGENT'S OFFICE, Jan. 28, 1819. Dear Sir-On looking over the books of this institution, from 1802 to the beginning of 1817, for the purpose of complying with the requisitions of your note of the 26th inst. I find it impracticable to do so, owing to the manner of keeping accounts in the books of the penitentiary between those There has been no regular account kept between the state and the institution; nor is there any account showing a general and annual result of the transactions of the institution, nor file nor record of the reports made yearly to the legislature by agents or keepers, previous to 1817. It is therefore out of my power to furnish you any statement farther back than February 1817, being the time which the agent under the late law came into office. A statement of the transactions under the control of the agent, from that time, is enclosed. The auditor informed me he should furnish the committee with the account of the first cost of the buildings, &c. of this establishment—there is no record of it in this office.

The number of convicts received and discharged; the expence of keeping them; the probable value of raw materials each year; the amount of money drawn from the treasury each year, and the general result of debits and credits to the state each year, are subjects which the books here furnish no annual estimate of, and of which the agent for the last two years can know nothing officially: They properly belong to the keeper; I have therefore shown him your note, that he may make report to the committee concerning them.

Respectfully, your obedient servant, J. B. WOOLDRIDGE, A. P.

Jesse Bledsoe, Esq. Chairman of the committee for the Kentucky Penitentiary.

The committee proceeded to examine the books and accounts of the agent, and find the same to correspond with his account rendered the auditor. The accounts appear to be fair and correct, and are kept in a manner which does credit to the capacity and integrity of the agent. His report is here to annexed, and is as follows:

A statement of accounts, &c. delivered the agent, by the keeper of the Kentucky penitentiary, the 11th February 1817; of the amount of manufactures, cost and interest since received; of the amount of cash paid in the treasury, cost paid on suits, errors discovered in keeper's accounts, and price of nails reduced, from the above date to 30th September 1818.

Accounts rec'd. of keeper, \$23,049 38 Manufactures rec'd. from do. 4,934 53

\$ 27,985 91

Manufactures received weekly of keeper, from 12th Feb.
1817, to 30th Sept. 22,645 21
Interest received during same
time, 12 50
Cost received do. do. 91 31

22,749 02

Cash paid in treasury from

12th Feb 1817 to 50th Sept.
inclusive, 10,557 25

Cost paid on suits during the
same time, 92 67

Errors in keeper's accounts, 126 65

Price of nails reduced, 199 72

-10.976 29

[309]	
Manufactures rec'd. of keeper from 1st Oct. 1817 to 30th Sept. 1818, inclusive, 30,060 75 Interest received during the same time, 22 72 Cost received do. do. 59 37 Received for retailing profits, 375 00	D 217 CA
Cash paid in treasury from 1st Oct. 1817 to 30th Sept. 1818, inclusive 17,107 56 Cost paid on suits during the same time, 39 85 Errors in keeper's accounts, 176 24 Price of nails reduced, 697 00 ———————————————————————————————————	0,517 84
28,997 04	81,250 77 28 997 04
	52,253 73
On the 30th Sept last, the agent's account stood th	ius:
Bonds and accounts, Manufactures on hand,	30,541 71 21,712 81
On the 30th Sept. 1817, thus:	52,254 52
Debts, &c.	24,673 95
Manufactures,	15,397 92
	40,071 87
Amount of sales for the year ending 30th Sept. 1817, commencing from the 12th Feb. 1817, Amount of sales from 1st Oct. 1817, to 30th Sept. 1818, J. B. WOOLDRIDG	12,181 67
January 28, 1819. From which it appears that the amount of sal cles there manufactured for the year commencin of Feb. and ending the 30th September, 1817, w	les of arti- g the 12th
And the amount of sales from the last mentioned time to the 1st Oct. 1818, was	23,225 10
That the cash paid by same into the treasury during the period last mentioned, was	10,557 25

1

And during the fatter period the cash paid into same, was 17,107	56			
During the former period the amount of manufactured articles received by the agent from				
the keener, was 22,045	25			
And during the latter period the amount of do. received by same of same, was 30,960	75			
The first period was during the agency of the late Incl	m-			
bent, the latter during that of the present. It thus apperthat the money paid into the treasury during the last m	en-			
tioned period, more nearly approaches the amount grawn				
out, and that there has been an increase of manufactured ticles, and of sales of the same, more than correspond	ar-			
with the increase of the number of convicts. The number	10			
convicts during the former period being 46, and during the	lat-			
ter 57. The expences of the institution during the former				
period, amounted to \$ 3,755	15			
During the latter, to 5,999 Raw materials consumed during the first, 13,833	21			
Do. do. do. during the latter, 19,979				
Cash drawn from the treasury in 1817, 20,142 Do. do. do. in 1818, 22,757				
On the first day of October, 1818, the general account	s of			
the institution stood thus: CREDITS.				
By debts due it. \$ \$1,410				
By Manufactured articles on hand, 20,840 Raw materials on hand, 6,553				
itaw materials on manay				
Making in all, DEBITS. \$ 58,803	84			
To bonus from the state, \$ 17,350				
To advances by the keeper, 10,114 For agent's and keeper's compensation due, 88	5,58			
For agent's and heeper's swarf				
Nominal worth of the institution on the same	11			
day. 30,453	76			
The gross profits of the institution on the same	67			
From which deduct for expences of do. 9,086				
Leaves for nett profit, \$ 476	98			

By a reference to the report of last year, it will appear that the nominal worth of the institution on the first day of October, 1817, was estimated at about \$55,000 00 And for 1816, at 29,000 00

Here it appears that the nominal worth of the institution for the last year, ending 1st Oct.

1818, which is

30,453 76

Making an amount less than that of the preceding year, according to the report of the comtee. of

When the number of convicts was 46, and making only about \$1,000 more than the year 1816, when the number of convicts was still less.

2,546 24

Of the 57 now confined in that institution, there are enga-

ged in the cut nail factory,

In the wrought do.

In the shoe do.

In the chair do.

In the blacksmiths' do.

Washing and cooking,

Unfit for duty,

7

With regard to the buildings and condition of the institution, the committee are compelled to assent to the report of the committee of last year on this subject, in the whole of which, respecting the site and state of the buildings, and the necessity of a change, they concur, and beg leave to refer to the same as fully expressive of the opinion of this commit-This committee cannot forbear the expression of an opinion that this institution originating in the most benevolent and just motives, and upon principles which seem to accord with correct ideas of the use of punishment, is likely to become more burthensome to the state than it ought; and that it is certainly susceptible of more profitable management. The labor of the convicts is incessant, and of a kind promising profit; and it is scarcely to be conceived that the same number of hands not in their situation as to confinement, with the advantage of so large a loan as a capital for purchasing raw materials, properly employed, should yield so small a profit. The confinement, coarse clothing and fare of the convicts cannot well be supposed to lessen the profits of their labors. Something is, therefore, evidently defective in the organization or management of the institution. The results speak stronger than any argument.

The committee, therefore, recommend the adoption of the

following resolutions:

Resolved, That a law ought to pass authorising the appointment of three commissioners, with powers to select and contract for the purchase of a site, and prepare a plan for a suitable building immediately upon the bank of the Kentucky river, for a penitentiary house; and also to contract for the sale of the present establishment, possession of which to be given as soon as the new building may be completed, and report the same to the next legislature subject to their approbation.

Resolved, That the keeper and agent of the penitentiary ought in future, to be elected annually by a joint vote of both

branches of the general assembly.

From the Senate,

J. BLEDSOE, JOHN FAULKNER.

From the House of Representatives,

C. S. TODD,
ROBT. BARRETT,
GEORGE B. KNIGHT,
JOSEPH THOMAS.
THOS. DOLLERHIDE.
N. S. DALLAM.

Ordered, That the said report be laid on the table.

Mr. Howard from the committee appointed for that purpose, reported a bill to repeal an act authorising county courts to establish inspections.

Which was read the first time, and the question being put on reading the same a second time, it was decided in the neg-

ative, and so the said bill was rejected.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of

the following titles:

An act for the benefit of Union academy; an act for the relief of Patty Bohannon; an act to amend the act entitled "an act respecting the conveyance, and also the division of the real estate of William Kennedy, Benjamin Beall and Jennette H. Beall, late of the county of Campbell;" an act authorising the county court of Pulaski to make additions to the town of Somerset; an act providing for a change of venue in the case of David H. Campbell; and an act establishing and regulating certain towns in this commonwealth.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto Ordered, That mr. Johnston inform

The house then took up a bill concerning the Estill academy; which was read the second time, and ordered to be engrossed and read a third time.

And thereupon the rule of the house and third reading of the said bill being dispensed with, and the same being en-

grossed:

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That mr. Noland carry the same to the senate,

and request their concurrence.

Mr. Hardin from the select committee to whom was referred a bill from the senate entitled "an act for the benefit of the heirs of John Marshall and others," reported the same with amendments.

Which being twice read were disagreed to.

And the said bill being amended, the same was ordered to be read a third time.

And thereupon the rule of the house and third reading of said bill being dispensed with:

Resolved. That the said bill as amended, do pass.

Ordered, That mr. Hardin inform the senate thereof, and

request their concurrence in said amendments.

Mr. Todd presented the report of colonel Richard Taylor of the amount of exports and imports from and into his ware-house on the Kentucky river, which was read as follows, to wit:

AN ESTIMATE

Of the Exports from the Warehouses in Frankfort and Leestown, during the year 1818, by the Kentucky river.

From the warehouse at Leestown: 10,350 bls. flour, 1374 whiskey, 1984 beef and pork, 10 hlds. tobacco, 500 bls. lard, 427 manufactured tobacco, 1000 pieces bagging, 1568 coils bale rope, 7 cables, 20,080 lbs. bacon, 1183 boxes candles, 1800 do. soap. 965 reams of paper, 800 kegs powder.

On hand: 1000 bls. flour, 20 whiskey, 800 beef and pork, 22 hhds. tobacco, 150 bls. lard, 100 manufactured tobacco, 800 pieces bagging, 8000 coils bale rope, 1 cable, 80 boxes candles.

From Lewis' warehouse: 3000 lbs. flour, 700 whiskey, 300 beef and pork, 250 hhds. tobacco, 100 bls. lard, 100 manufactured tobacco, 500 pieces bagging, 200 coils bale rope.

On hand-Not known.

From Hunter and Armstrong's warehouse: 240 bls. flour,

54 whiskey, 25 manufactured tobacco, 186 coils bal	e rope, 4
cables 4 spun varn. 10,000 lbs. bacon.	\$ 87,540
Towar 14 500 bls. flour, at 0 uonars,	1,074
e 149 do whiskey, at 50 dollars,	THE RESERVE OF THE PARTY OF THE
2,584 do. beef and pork, at 15 dollars,	14,100
ogo hhds, tobacco, at 50 donars,	15,000
750 bls lard, at 20 denars,	19,260
642 man'd. tobacco, at 30 dollars,	27,000
1,800 pieces bagging, at 15 dollars,	49,540
4.954 coils bale rope, at 10 dollars,	
12 cables, at 250 dollars,	3,000
4 spun varp, at 100 dollars,	400
so ogo lhs, bacon, at 10 dollars,	30,000
1.963 hoxes candles, at 10 donars,	12,630
1 goo do soan, at 10 dollars,	18,000
065 reams of paper, at 4 dollars,	3,860
800 kegs of powder, at 50 dollars,	4,000
Total value,	\$ 324,164
From Frankfort to the mouth of the Kentucky	
river, there are five warehouses, estimated to	
contain 2,450 hhds. of tobacco, worth, at 50 dolls.	122,500
Total amount of exports, Note—Much has been exported by citizens and from private store-houses.	\$ 446,664 merchants
Imported into two of the above Warehouses and into viz. at Leestown and Hunter & Armstrong's, chants, &c.	m bantost
135 hhds. sugar, at 200 dollars,	\$7,000
3 456 bls. salt. at 10 dollars,	34,560
100 tons iron, at 250 dollars,	25,000
1 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	6,020
34 bls. fish, at 25 dollars,	850
57 crates earthen ware,	4,000
5/ Craics carmen wares	700
1 pipe wine, 10 bls. pecanes, at 12 dollars,	120
10 bls. nails, at 20 dollars,	200
10 bls. Halls, at 20 donate,	
740 bls. porter, 74 tons of dry goods and groceries,	11,100
74 tons of dry goods and groceries,	

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of

the following titles:

An act for the benefit of Catharine Amis, Agness Snider, Rebecca Mitchell and John Hole; an act to extend the limits of the town of Perryville; an act to amend an act entitled "an act to amend an act concerning occupying claimants of land;" an act for the benefit of Lawrence Flournoy; an act for the benefit of Rebecca Gill and others; an act for the benefit of the heirs of John Marshall; an act to extend the term of the Bath circuit court; an act supplemental to an act altering the mode of taking in lists of taxable property.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Johnston inform the senate thereof.

A message from the senate by mr. Mason:

Mr. Speaker,

The senate have passed a bill from this house entitled "an act concerning the Estill academy."

And then he withdrew.

The house took up the amendments proposed by the senate to a bill entitled " an act for the appropriation of money."

Which were twice read, and the 1st, 2d, 3d, 4th, 5th, 6th and 8th, were concurred in with amendments; the 9th was disagreed to; and the 7th being read as follows, to wit: To Samuel South, treasurer, for clerk hire, two kundred dol-

The question was put on concurring therein, and it was decided in the negative.

The yeas and nays being required thereon by messrs.

Forrest and Booker, were as follows, viz.

Yeas-Mr. Speaker, messrs. Barbour, Barr, Baylor, Breathitt, Carter, Chew, Crittenden, Field, Hanson, Hickman, Howard, Hunter, J. T. Johnson, Kennedy, Knight, Lackey, J. Logan, M'Kee, Owings, Pope, Rennick, Sharp, J. Taylor, Todd, Turner, T. Ward and Williams-28.

Nays-Messrs. Allen, Barnett, Barrett, Berry, Booker. W. O. Butler, A. Butler, Caldwell, Chinn, Coombs, Cunningham, Dallam, Davis, Dollerhide, Duncan (of Daviess) Duncan (of Lincoln) Forrest, Grant, L. Green, J. Green. Hardin, Harrison, Jennings, J. Johnston, B. Johnson, Lee, Lockett, M'Closky, M'Millan, Miller, Mullens, Nolanda O'Bannon, Parsons, Phelps, Prather, Ray, Robinson, Scott, Smith, Z. Taylor, Thomas, Underwood, Wickliffe and Worthington-45.

Ordered, That mr. M'Kee inform the senate thereof, and request their concurrence in said amendments.

A message from the senate by mr. Fleming :

Mr. Speaker,

The senate concur in the amendments proposed by this house to a bill from the senate entitled "an act to amend an act entitled an act to amend an act concerning occupying claimants of land." And they have passed an act concerning the penitentiary:

In which they request the concurrence of this house,

And then he withdrew.

A message from the senate by mr. Jones:

Mr. Speaker,

The senate concur in the amendments proposed by this house to a bill from the senate entitled "an act for the benefit of the heirs of John Marshall and others."

And then he withdrew.

A message from the senate by mr. Bledsoe:

Mr. Speaker,

The senate have adopted resolutions concerning exports and imports:

In which they request the concurrence of this house.

And then he withdrew.

Mr. J. Logan from the committee appointed for that purpose, reported a bill for the benefit of mechanics; which was

read the first time as follows, viz.

BE it enacted by the general assembly of the commonwealth of Kentucky, If any person or persons who are or may hereafter be indebted to any mechanic or mechanics for work or labor performed upon any dwelling house or other building, and shall when demanded, refuse to pay the just claim of such mechanic or mechanics, and shall refuse to give bond with security for the payment of such claim, the mechanic or mechanics shall have a lien upon the said dwelling house or other building, to the amount of his claim or the value of his work; and it shall be competent for the mechanic or mechanics to file a bill in chancery and prosecute his or their suit to adjudication under the rules which govern courts of chancery in other cases; and if the court shall be of opinion that the complainant or complainants ought to be released, it shall pronounce a decree ordering the sale of the said dwelling house or other building for the shortest term which will satisfy the decree and cost of suit : And it may be lawful for mechanics of different trades to join in any such suit : Provided, however, that nothing in this act shall be so construed as to affect the vendor of any land or lot upon which the said dwelling house or other building may be erected, or any purchaser of said dwelling house or other building, without notice of the claim of any such mechanic or mechanics.

It was then moved and seconded to lay the said bill on the

table until the first day of May next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by messrs. J.

Logan and — were as follows, viz.

Yeas—Mr. Speaker, messrs. Allen, Barnett, Barrett, W. O. Butler, Carter, Chinn, Cunningham, Dallam, Dollerhide, Duncan (of Daviess) Field, Grant, L. Green, Harrison, Hickman, Howard, Jennings, J. Johnston, Lackey, Lockett, M'Closky, M'Millan, Miller, Noland, Owings, Parsons, Phelps, Prather, Ray, Scott, Sharp, J. Taylor, Thomas, Turner, Underwood, T. Ward, Wickliffe and Worthington—39.

Nays—Messrs. Barbour, Baylor, Booker, Breathitt, A. Butler, Chew, Coombs, Crittenden, Davis, Duncan (of Lincoln) Forrest, J. Green, Hanson, Hunter, J. T. Johnson, B. Johnson, Kennedy, Lee, J. Logan, M'Kee, Mullens, O'-Bannon, Rennick, Robinson, Smith, Z. Taylor and Williams

-9.7

A message from the senate by mr. Bledsoe:

Mr. Speaker,

The senate concur in the amendments proposed by this house upon concurring in the amendments of the senate to a bill from this house entitled "an act for the appropriation of money;" and they insist on their 7th and 9th amendments to said bill.

And then he withdrew.

A message from the lieutenant governor by mr. Pope his secretary:

Mr. Speaker,

The lieutenant governor did on this day approve and sign enrolled bills which originated in this house, of the following titles:

An act supplemental to the act establishing the county of Owen; an act authorising the conveyance of certain lands belonging to the heirs of Mary Boyd and Amy Robinson; an act authorising suits against heirs and devisees in certain cases, and limiting the time of bringing suits against executors and administrators; an act for the benefit of William

Dunning and Elizabeth Nall; an act further to regulate the disposition of the records of the supreme court for the district of Kentucky.

And then he withdrew.

The house then proceeded to re-consider the amendments of the senate to a bill from this house entitled " an act for the appropriation of money."

It was moved and seconded that this house do recede from

their disagreement to the senate's seventh amendment.

And the question was put thereon, and it was decided in the negative.

The yeas and nays being required thereon by messrs.

Booker and Forrest, were as follows, viz.

Yeas—Mr. Speaker, messrs. Barr, Baylor, Breathitt, Carter, Crittenden, Field, Hanson, Hickman, Howard, Hunter, J. T. Johnson, Kennedy, Knight, Lackey, J. Logan, M'Kee, Owings, Pope, Rennick, Sharp, J. Taylor, Todd, Turner,

T. Ward and Williams-26.

Nays—Messrs. Allen, Barnett, Barrett, Berry, Booker, W. O. Butler, A. Butler, Chew, Chinn, Coombs, Cunningham, Dallam, Bollerhide, Duncan (of Daviess) Buncan (of Lincoln) Forrest, Grant, L. Green, J. Green, Hardin, Harrison, Jennings, B. Jehnson, Lockett, M'Closky, M'Millan, Miller, Mullens, Noland, O'Bannon, Parsons, Phelps, Prather, Ray, Robinson, Scott, Smith, Z. Taylor, Thomas, Underwood, Wickliffe and Worthington—42.

Resolved, That this house do adhere to their disagreement to the said seventh amendment; and recede from their dis-

agreement to the ninth amendment.

Ordered, That mr. M'Kee inform the senate thereof.

The house then took up a bill from the senate entitled an act to amend an act entitled an act to incorporate the Fayette and Madison turnpike company, and for other purposes."

Which was read the third time, and amended by way of

engrossed ryder.

Resolved, That the said bill as amended, do pass.
Ordered, That mr. Rennick inform the senate thereof.

Bills from the senate of the following titles:

1. An act to incorporate a company to improve the navigation of Elkhorn; 2. An act for the benefit of the heirs and devisees of Andrew Todd; and 3. An act to extend the June term of the Hardin circuit court, and to alter the time of holding the June term of the Nelson circuit court.

Were severally read the first time, and ordered to be read a second time.

And thereupon the rule of the house and second and third readings of the said bills being dispensed with, and the first and third being amended:

Resolved. That the said bills do pass.

Ordered, That nr. Hardin inform the senate thereof, and request their concurrence in the said amendments.

The bill from the senate entitled " an act to change the

time of the meeting of the general assemby,"

Was read the second time, and ordered to be read a third time on to-morrow.

The house then proceeded to re-consider their amendments to a bill from the senate entitled "an act providing for a change of venue in the case of Francis and Sandifur Petty."

Resolved, That this house do adhere to their said amend-

ments.

Ordered, That mr. Sharp inform the senate thereof.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of the following titles:

An act concerning the Estill academy; and an act to incorporate the Eddyville steam-mill company.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto. Ordered, That mr. Johnston inform the senate thereof.

A message from the senate by mr. Fleming:

Mr. Speaker,

The senate concur in the amendments proposed by this

house to bills from the senate of the following titles:

An act to incorporate a company to improve the navigation of Elkhorn; and an act to amend an act entitled "an act to incorporate the Fayette and Madison turnpike company and for other purposes." And they recede from their ninth amendment to a bill from this house entitled "an act for the appropriation of money."

And then he withdrew.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had deposited in the the secretary's office for the approbation and signature of the lieutenant governor, the bills last signed.

The house then took up a bill for the benefit of the heirs of

Philip Barbour, deceased.

Which was read the second time, and ordered to be engressed and read a third lime.

0.

And thereupon the rule of the house and third reading of the said bill being dispensed with, and the same being engrossed and amended by way of engrossed ryder:

Resolved, That the said bill do pass, and that the title be amended by adding thereto, and the administrator of Jen-

nings M'Daniel.

Ordered, That mr. Underwood carry the said bill to the

senate, and request their concurrence therein.

A bill establishing the town of Francisburg in Union county, was read the second time, amended, and ordered to

be engressed and read a third time.

And thereupon the rule of the house and third reading of the said bill being dispensed with, and the same being engrossed:

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered, That mr. Lockett carry the said bill to the sen-

ate, and request their concurrence.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of

of the following titles:

An act for the appropriation of money; an act to incorporate a company to improve the navigation of Elkhorn; and an act for the benefit of the heirs and devisees of Andrew Todd.

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Johnston inform the senate thereof.

A message from the senate by mr. Yancey: Mr. Speaker,

The senate have passed bills from this house of the follow-

ing titles, viz.

An act establishing the town of Francisburg in Union county; and an act for the benefit of the heirs of Philip Barbour, deceased, and the administrator of Jennings M'Daniel.

And then he withdrew.

And then the house adjourned.

WEDNESDAY, FEBRUARY 10, 1819.

A message from the senate by mr. Owens:

Mr. Spraker,

The senate solicit the appointment of a committee of conference on the part of this house on the subject of the disagreement between the two houses on a bill from the senate

entitled " an act to provide for a change of venue in the case of Francis and Sandifur Petty." And they have appointed a committee of thee on their part.

And then he withdrew.

Whereupon,

Ordered, That messrs. Booker, Sharp, Hardin, M'Kee, Harrison, Scott, Barrett and J. Taylor, be a committee on the part of this house. And that mr. Booker inform the senate thereof.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of

of the following titles :

An act establishing the town of Francisburg in Union county; an act for the benefit of the heirs of Philip Barbour, deceased; and an act to amend an act entitled "an act to incorporate the Fayette and Madison turnpike company, and for other purposes."

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.
Ordered, That mr. Johnston inform the senate thereof.

Mr. Baylor from the select committee to whom was referred a bill from the senate entitled "an act to authorise the trustees of the presbyterian meeting house and lot in Paris to sell the same," reported the same without amendment.

Ordered, That the said bill be laid on the table.

A message from the senate by mr. Owens :

Mr. Speaker,

The senate recede from their disagreement to the amendment proposed by this house to a bill from that entitled "an act providing for a change of venue in the case of Francis and Sandifur Petty;" and concur in the said amendment with an amendment:

In which they request the concurrence of this house.

And then he withdrew.

The house took up the amendments proposed by the senate to a bill from this house entitled " an act to regulate the fees of the justices of the peace of this commonwealth."

Which being severally twice read, were concurred in. Ordered. That mr. T. Ward inform the senate thereof.

On the motion of mr. Crittenden,

Ordered, That leave be given to bring in a bill further to regulate the proceedings of the Fayette circuit court.

Whereupon, mr. Crittenden with the leave of the house reported a bill under the title aforesaid. Which was received and read the first time, and ordered

to be read a second time.

And thereupon the rule of the house and second and third readings of said bill being dispensed with, and the same being engrossed :

Resolved, That the said bill do pass, and that the title there-

of be as aforesaid.

Ordered, That mr. Crittenden carry the said bill to the

senate, and request their concurrence.

A bill from the senate entitled " an act authorising an addition to the town of Burksville," was ordered to be read a second time.

And thereupon the rule of the house and second and third

readings of said bill being dispensed with:

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered. That mr. Scott inform the senate thereof.

A bill for the benefit of William Littell, was read a second time, and ordered to be engrossed and read a third time.

And thereupon the rule of the house and third reading of the said bill being dispensed with, and the same being engrossed:

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered, That mr. Knight carry the said bill to the sen-

ate, and request their concurrence.

The house took up the amendments proposed by the senate to a bill from this house entitled "an act concerning certain offences committed by slaves, and giving the circuit courts jurisdiction of the trial of slaves for capital offences."

Which being twice read, were concurred in.

Ordered, That mr. Hardin inform the senate thereof.

A message from the senate by mr. Fleming :

Mr. Speaker,

The senate concur in the amendments proposed by this house to a bill from the senate entitled " an act to extend the June term of the Hardin circuit court, and to alter the time of holding the June term of the Nelson circuit court, and for other purposes."

And then he withdrew.

Mr. Booker moved to postpone the further consideration

of all bills and resolutions in the orders of the day.

And the question was put thereon, and it was decided in the affirmative.

The yeas and nays being required thereon by messis.

Booker and Kennedy, were as follows, viz.

Yeas-Mr. Speaker, messrs. Allen, Barbour, Barnett, Baylor, Berry, Booker, Breathitt, Caldwell, Carter, Chinn, Crittenden, Cunningham, Duncan (of Daviess) Grant, J. Green, Hardin, Howard, Hunter, Jennings, J. T. Johnson, B. Johnson, Knight, Lackey, Lee, Lockett, J. Logan, M'-Millan, Mullens, Noland, O'Bannon, Pope, Prather, Ray, Scott, Sharp, Smith, J. Taylor, Thomas, Turner, Underwood, G. Wall, T. Ward, Wickliffe and Williams-45.

Nays-Messrs. Barr, Barrett, W. O. Butler, A. Butler, Chew, Coombs, Dallam, Davis, Duncan (of Lincoln) Field, Forrest, L. Green, Hauson, Harrison, Hickman, J. Johnston, Kennedy, B. Logan, Megowan, Mercer, M'Kee, M'Closky, Miller, Owings, Parsons, Phelps, Rennick, Rob-

inson, Z. Taylor, Todd and Worthington-31.

A message from the senate by mr. Bledsoe:

The senate have passed a bill which originated in this house Mr. Speaker, entitled an act for the benefit of William Littell." have passed a bill entitled " an act to amend an act entitled an act appointing a sergeant to the court of appeals :"

In which bill they request the concurrence of this house.

And then he withdrew.

The latter bill was then taken up, and read the first time

and ordered to be read a second time.

And thereupon the rule of the house and second and third readings of the said bill being dispensed with:

Resolved, That the said bill do pass, and that the title

thereof be as aforesaid.

Ordered, That mr. M'Kee inform the senate thereof.

The house took up the amendments proposed by the senreceding from their disagreement to the amendments proposed by this house to the bill from the senate entitled " an act providing for a change of venue in the case of Francis and Sandifur Petty."

Which being twice read, were concurred in.

Ordered, That mr. M'Kee inform the senate thereof.

Mr. J. Johnston from the joint committee of enrolments, reported that the committee had examined enrolled bills of the following titles:

An act to amend an act entitled " an act appointing a sergeant to the court of appeals ;" an act to extend the June term of the Hardin circuit court, and to alter the time of kolding the June term of the Nelson circuit court, and for other purposes; an act authorising an addition to the town of Burksville; an act concerning certain offences committed by slaves, and giving the circuit courts jurisdiction of the trial of slaves for capital offences; an act for the benefit of William Littell; an act to regulate the fees of justices of the peace of this commonwealth; and an act providing for a change of venue in the case of Francis and Sandifur Petty."

And had found the same truly enrolled.

Whereupon the speaker affixed his signature thereto.

Ordered, That mr. Johnston inform the senate thereof.

A message from the lieutenant governor by mr. Pope his

secretary : Mr. Speaker,

The lieutenant governor did on this day approve and sign enrolled bills which originated in this house, of the following titles:

An act concerning the Estill academy; an act for the benefit of the heirs of Philip Barbour, deceased, and the administrator of Jennings M'Daniel's estate; an act establishing the town of Francisburg in Union county; an act for the appropriation of money; an act concerning certain offences committed by slaves, and giving the circuit courts jurisdiction of the trial of slaves for capital offences; an act to regulate the fees of the justices of the peace of this commonwealth; and an act for the benefit of William Littell.

Ordered, That a message be sent to the senate informing them, this house having finished the legislative business before them, are now ready to adjourn without day; but are, nevertheless disposed to remain, until it shall suit the wishes, convenience and disposition of the senate to adjourn also; that they have appointed a committee consisting of messrs. Booker, M'Kee, Baylor, Williams and J. Green, on their part, in conjunction with a committee on the part of the senate (the appointment of which they solicit) to wait on the lieutenant governor and inform him of the intended adjournment of the general assembly, and know whether he has any further communication to make: And that mr. Baylor carry the said message,

A message from the senate by mr. Fleming:

Mr. Speaker,

I am directed by the senate to inform this house that they are now ready to adjourn without day; and that they have appointed a committee to act in conjunction with that ap-

pointed on the part of this house, to wait on the lieutenant governor and inform him of the intended adjournment of the general assembly.

And then he withdrew.

The said committee then retired, and after a short time returned, when mr. Baylor reported that the committee had discharged the duty assigned them, and were informed by the lieutenant governor that having from time to time during the session, communicated his views to the general assembly, he had now no further communications to make.

Whereupon, the speaker having delivered a suitable congratulatory and valedictory address, adjourned the house

without day, and retired.

When mr. Harrison was called to the chair, and the follow-

ing resolution unanimously adopted:

Resolved, That Joseph C. Breckinridge, is entitled to the unqualified thanks of this house, for the dignity, intelligence and propriety with which he has presided over its interesting concerns during the present session.

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